

April 8, 2024

To: Patrick Sheehan, Chief Human Resources Officer, Office of Human Resources (OHR)

From: Megan Dzyuba, Employment Relations Director, OHR Kelley Steiner, Employment Relations Investigator, OHR

Re: Former UWPD Chief Kristen Roman Investigatory Report

INTRODUCTION:

In November 2023, a request was made by the UW–Madison Police Department (UWPD) to the central Office of Human Resources-Workforce Relations (OHR-WR) to conduct a workplace investigation related to a complaint received by then Assistant Chief, now Interim Chief of Police, Brent Plisch (Plisch).

As indicated in a memorandum dated November 30, 2023¹,

met with Plisch on November 17, 2023 to share information regarding a complaint about Kristen Roman (Roman), who was the UWPD Chief of Police at the time. During the meeting, who was the UWPD Chief of Police at the time. During the meeting, who was the UWPD Chief of Police at the time. During the meeting, who was the UWPD Chief of Police at the time. During the meeting, who was the UWPD chief of Police at the time. During the meeting, who was the UWPD chief of Police at the time. During the meeting, who was the UWPD chief of Police at the time. During the meeting, who was the UWPD chief of Police at the time. During the meeting, who was the UWPD chief of Police at the time. During the meeting, who was the UWPD chief of Police at the time. During the meeting, who was the UWPD chief of Police at the time. During the meeting, who was the UWPD chief of Police at the time. During the meeting, who was the UWPD chief of Police at the time. During the meeting, who was the UWPD chief of Police at the time. During the meeting, who was the UWPD chief of Police at the time. During the meeting, who was the UWPD chief of Police at the time. During the meeting, and was the that during this phone call, who was the UWPD chief of Police at an anonymous complaint related to Roman's the UWPD vehicle, Roman's failure to pay for mileage and/or parking, and Roman's failure to provide payroll with attestation statements on her use of a state vehicle and parking for tax related purposes.

At its onset, the scope of the investigation was to determine whether there was any validity to the complaint about Roman's use of a UWPD vehicle, failure to pay for mileage and/or parking, and failure to provide payroll with attestation statements, and to determine if any UWPD employee provided false information related to how these same concerns were received.

Initially, was identified as a respondent; however, as the workplace investigation progressed, new allegations were reported which resulted in additional respondents, including Roman and

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purpose of this report is to provide information specific to the allegations against Roman; however, there is information throughout this report related to potential misconduct by other respondents, and . In order to thoroughly explain the allegations against Roman, it is necessary to include some

¹ See Exhibit 1, which is a memorandum dated November 30, 2023, and outlines concerns prompting this investigation.

information herein regarding the other respondents. Separate investigatory reports will provide details and information regarding allegations against and and and a second second

Roman started as the UWPD Chief of Police on January 9, 2017. Prior to starting her role with UWPD, Roman received a letter dated December 15, 2016 to confirm her appointment as Chief of Police. The following language in this appointment letter² has been determined by OHR-WR to be related to this workplace investigation:

> This position has been identified as limited because of your involvement in policy matters and the closeness of your relationship to principal campus administrators.

Additionally, the latter part of the appointment letter includes the following:

As a limited appointee, you hold a leadership position on this campus and are expected to be fully informed about how to handle questions and situations involving sexual harassment, assault, and consensual relationships. The Chancellor requires all limited appointees to attend a workshop providing information regarding these issues.

Roman was made aware of this workplace investigation on January 23, 2024, and completed an investigatory interview with OHR-WR on February 5, 2024. On February 11, 2024, Roman submitted her letter of resignation³ and remained in active payroll status until March 1, 2024, which is permitted by University policies⁴. Following Roman's resignation, OHR-WR continued to receive and review new information related to the allegations outlined in this report; however, OHR-WR did not attempt to complete a secondary interview with Roman because OHR-WR, in most cases, does not reach out to respondents after they have submitted their letter of resignation.

METHODOLOGY:

In conducting this investigation, information from witness interviews and relevant documentation was considered. In terms of witnesses, the following individuals were interviewed:

- David Honma (Honma), Assistant Vice Chancellor, Division of Business Services
- Kristen Roman (Respondent), Former Chief of Police, UWPD

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² See Exhibit 53, which is Roman's appointment letter.

³ See Exhibit 43, which is Roman's resignation letter.

⁴ The <u>UW-5050 Personal and Legal Holidays policy</u> and the <u>UW-5052 Vacation</u> policy outlines the ability of an employee to utilize accrued leave when resigning.

While not subject to a formal witness interview, the following individuals provided information and/or records as requested by OHR-WR:

- Brent Plisch (Plisch), Interim Chief of Police, UWPD
- Patrick Sheehan (Sheehan), Chief Human Resources Officer, OHR
- •
- •
- •
- Rob Cramer (Cramer), Vice Chancellor of Finance and Administration

In reaching the conclusions outlined in this report, OHR-WR used a preponderance of the evidence standard, meaning that the evidence demonstrates that it is more likely than not that any particular conclusion is true.

ALLEGATIONS:

Allegation #1: Did Roman violate any UW-Madison, UWPD, and/or DOA policy or procedure in her use of a fleet vehicle and/or in her use of her designated UWPD parking spot?

Statements by Witnesses:

Interview with

During his investigatory interview, explained that his role in the

. On November 14, 2023,

reached out to him via email to request a meeting to discuss questions she had about individuals who use a UW-Madison vehicle for commuting purposes⁵. A meeting was subsequently scheduled for November 16, 2023⁶.

During the meeting on November 16, 2023, and advised advised that she was asked by her supervisor⁷ to contact regarding two concerns related to Roman. Advised that he provided a verbal response to a after being presented with the information outlined below:

• **Concern #1:** Roman is provided a UW-Madison vehicle to commute to and from her residence. It was further specified that the vehicle is a standard fleet vehicle, and not a squad or designated

⁶ See Exhibit 3, which is an Outlook calendar reminder for a meeting between ⁷ Per sector did not specify who her supervisor was. However,

and supervisor is

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⁵ See Exhibit 2, which is an email communication between and

police vehicle⁸. It was reported to **second** the monthly fleet charges and mileage have recently increased significantly due to Roman recently purchasing a new or second home.

Response: Costs associated with travel to and from home are considered commuting expenses and are not reimbursable to an employee. If commuting expenses are reimbursed, they are considered tax reportable fringe benefits to the employee, and the fair market value of the vehicle must be reported to payroll to ensure inclusion and taxation in the employee's W-2.

 Concern #2: Roman parks her personal vehicle in the squad car parking lot without paying for parking.

Response: As all UW-Madison employees are required to pay for parking, Roman is required to report to payroll any fees and/or charges typically associated with parking as tax reportable fringe benefits.

stated Plisch sent him an email on November 22, 2023 to inquire about tax law questions that
 office had received⁹.
 stated he did not feel comfortable answering Plisch, and as such, reached out to Assistant Vice Chancellor David Honma (Honma) to request for him to respond to Plisch.
 subsequently sent an email to Honma summarizing the conversation that took place between
 and received⁹, which is outlined above¹⁰.

Interview with Honma¹¹:

During his investigatory interview, Division of Business Services Assistant Vice Chancellor David Honma (Honma) confirmed that he reached out to Plisch after received the email from Plisch on November 23, 2023¹². When asked if any of the information shared by appeared to violate any policies and/or be of concern, Honma indicated that such a determination is not within his office's purview as they only provide tax advice. He further explained that unless a <u>UW-Madison Fiscal</u> <u>Misconduct Reporting Form</u> is completed, it is up to the division to decide whether an action is permissible within their own policies.

Interview with

In her December 15, 2023 interview with OHR-WR,

explained that in November 2023, an individual who was later identified as

¹² See Exhibit 4, which are emails between Plisch, Honma, and **Section** November 22, 2023.

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⁸ It appears feedback was provided with the understanding Roman did not have a squad or designated police vehicle. However, as indicated in Exhibit 49, Plisch indicated Roman's vehicle was an unmarked squad car. ⁹ See Exhibit 4, which are emails between Plisch, Honma, and for on November 22, 2023.

¹⁰ See Exhibit 5, which is the email sent by summarizing his interaction with

¹¹ David Honma is an Assistant Vice Chancellor within the <u>Division of Business Services</u>. <u>Accounting Services</u>, which employs and is located within Business Services, "provides financial services and management for UW-Madison, including the processing and reporting of accounting data. The department develops and implements financial policies and procedures for university-wide business processes for compliance with tax laws and other Federal and State regulations."

former UWPD employee	advised her of co	ncerns he had with Roman r	not paying for
personal mileage when utilizing t	he fleet vehicle, as well as r	not paying for parking at UW	/-Madison. After
receiving this information,	felt she needed to determ	nine if there was any merit t	to la
concerns. subsequently r	reached out to	as believed	may be
able to assist with answering som	ne of her questions related t	to complaint. Howeve	er,
was unable to assist, and suggest	ed reach out to	for further information.	then
asked to confidential	lly reach out to . After	obtained infor	mation from
, she provided a ph	ysical copy of a typed sumn	nary of her findings ¹³ .	then notified
Plisch of the concerns ¹⁴ .			_

Interview with

During her interview, confirmed had if she had any knowledge of tax laws after received a confidential inquiry asked related to Roman's use of a squad car. As was unfamiliar with any applicable tax guidelines, obtained information from stated she would inquire with . After provided with a summary of her findings¹⁵. shared that she utilized her personal computer to compile the information for because she was fearful of retaliation from Roman for looking into the vehicle and parking matters brought to her by felt taking these steps to share the information with would ensure did not "leave a trail."

Consultation with Plisch:

In an email sent to Workforce Relations on December 21, 2023, UWPD Interim Chief of Police Brent Plisch (Plisch) indicated Roman's fleet vehicle is a condition of employment, which was inadvertently not included in Roman's appointment letter. He went on to explain that an updated appointment letter to include her vehicle is a requirement for her position, with the inclusion of parking at the discretion of Roman, is in the process of being completed¹⁶.

Consultation with Sheehan:

On February 1, 2024, Chief Human Resources Officer Patrick Sheehan (Sheehan) advised OHR-WR there was an initial belief that amendments to Roman's appointment letter may resolve some of the parking, fleet, and/or mileage issues outlined above; however, as this matter progressed, it was discovered that any potential amendments to the original appointment materials would not remedy all of the allegations brought forth in this area. Sheehan further explained that this is due to the University's requirement to

¹⁴ Initially advised Plisch she had received the concerns after an anonymous party reached out to the she had received the concerns after an anonymous party reached out to the she was received the information from who was eventually identified as the she advised to university records, was last employed with UWPD from the she was received to university records, was last employed with UWPD from the she was received to university records, was last employed with UWPD from the she was received to university records, was last employed with UWPD from the she was received to university records, was last employed with UWPD from the she was received to university records, was last employed with UWPD from the she was received to university records, was last employed with UWPD from the she was received to university records, was last employed with UWPD from the she was received to university records, was last employed with UWPD from the she was received to university records, was last employed with UWPD from the she was received to university records, was last employed with UWPD from the she was received to university records, was last employed with UWPD from the she was received to university records, was received to university received to university records, was received to university received to university records, was received to university records, was received to university recor

¹⁵ See Exhibit 6, which is a document summarizing findings.

¹⁶ See Exhibit 47, which is an email from Plisch.

¹³ See Exhibit 6, which is a document summarizing findings.

follow State of Wisconsin Department of Administration (DOA) policies and procedures regarding fleet vehicles.

Interview with

has been in her role since and as such, she has knowledge and experience surrounding the past and current UWPD police chief practices for both fleet vehicle usage and parking of a chief's personal vehicle. Stated she worked with former UWPD Police Chief Susan Riseling (Riseling) and former Interim UWPD Police Chief Brian Bridges (Bridges) prior to Roman's appointment in 2017.

stated that each of the prior police chiefs tracked their mileage. With Riseling, totaled the number of personal miles at the end of each year, and presented Riseling with an invoice. Riseling would then provide to with a personal check to reimburse UWPD for the personal miles accumulated. Bridges also tracked his mileage but did not ever use his squad car for personal miles, and as such did not have any tracked personal miles.

stated she had previously been responsible for collecting monthly mileage tracking sheets for Riseling and Bridges. When Roman began in January 2017, for the Upon for the Upon for the return for the Upon for the stated there is documentation showing Roman tracked her mileage in January, February, and the majority of March 2017¹⁷. More recently, for the stated she is aware that the UWPD logistics team has been recording monthly odometer readings, which for the believes has been done for the past year. If the stated that Roman resumed tracking mileage as of January 2024, and intended to provide Roman with an invoice for her personal mileage on her squad car.

Regarding parking, stated that there are occasions when Roman will leave her squad car at home and instead bring her personal vehicle to work. When this occurs, Roman will park her personal vehicle in the parking stall designated for Roman in the UWPD parking garage. If the squad cars have, which automatically opens and closes the door for the UWPD parking garage. If the squad cars have, which automatically opens and closes the door for the UWPD parking garage. If the squad cars have, which automatically opens and closes the door for the UWPD parking garage. If the squad cars have, which automatically opens and closes the door for the UWPD parking garage. If the squad cars have, which automatically opens and closes the door for the UWPD parking garage. If the squad cars have, which automatically opens and closes the door for the UWPD parking garage. If the squad cars have, which automatically opens and closes the door for the UWPD parking garage. If the squad cars have, which automatically opens and closes the door for the UWPD parking garage was a new practice with swas in their personal vehicles into the assigned chief parking spot at UWPD, so a chief being permitted to park their personal vehicle without cost in the UWPD parking garage was a new practice with Roman. If the squad there was an "Ask Chief" video¹⁹ from Spring 2023 in which Roman addressed how it is permissible for her to park her personal vehicle in her designated parking spot at UWPD.

 ¹⁷ See Exhibit 7, which are DOA-3472 Assigned Vehicle Logs for January 2017, February 2017, and March 2017.
 ¹⁸ According to university records, was most recently employed by UWPD from the second s

¹⁹ See Exhibit 8, which is the referenced "Ask Chief" video. Employees at UWPD were able to submit anonymous questions to Roman via a QR code, and Roman subsequently answered the questions in the "Ask Chief" videos.

Consultation with Plisch:

UWPD Interim Chief of Police Brent Plisch (Plisch) advised OHR-WR that parking stickers, which contain RFID²⁰, started being used after the UWPD parking garage was built in 2017. Plisch stated that the stickers are managed by UWPD, and stickers are regularly switched out for various reasons, such as when a sticker is affixed to a windshield that needs to be replaced. Plisch suggested OHR-WR contact **Comparison** I of Transportation Services for additional information related to mileage tracking and/or use of a fleet vehicle.

Consultation with

In an email dated February 9, 2024²¹,

stated the Chief's individually assigned squad would qualify as a "Qualified Non-Personal Use Vehicle", and as such, would not require Roman to reimburse the university for mileage to or from her residence.

Consultation with

On January 11, 2024, and the set of the set

Consultation with

In an email dated February 29, 2024²³, and the secondary sticker was issued for use for her personal cars. The first sticker was issued on August 3, 2017, and the secondary sticker was issued on January 23, 2019. The first sticker was issued that access control records dating as far back as 2018 show each time Roman entered the UWPD parking garage, but do not capture departures. The also noted no other UWPD employees have access stickers for their personal vehicles.

²⁰ According to the <u>Department of Homeland Security website</u>: "Radio Frequency Identification (RFID) technology uses radio waves to identify people or objects. There is a device that reads information contained in a wireless device or "tag" from a distance without making any physical contact or requiring a line of sight.

²¹ See Exhibit 9, which is an email with a more on February 9, 2024.

²² See Exhibit 10, which are emails from

²³ See Exhibit 11, which are emails from

Review of Roman's Earnings Statements:

OHR-WR reviewed one of Roman's earnings statements per year for the years 2019-2024, which did not note any of the aforementioned taxable fringe benefits²⁴.

Statement by Respondent:

As mentioned in the uwpole interview, Roman completed an "Ask Chief" video²⁵ addressing concerns about her ability to park in the UWPD parking garage. In this video, Roman made the following statement:

"Next, as I mentioned in an earlier video, I'm provided with a department vehicle and am approved to drive it to and from work. While I could also arrange to use this vehicle for personal travels as my predecessor did, I prefer not to and so on some occasions when I have personal business to attend to before or after work, I drive my personal vehicle here and park it in my stall. This is a benefit afforded to the chief and to other leadership positions across campus."

In the same video, Roman also discussed questions submitted about her residence. Specifically, there were allegations that Roman lied about where her residence is located, and that Roman does not feel Departmental rules apply to her. Roman explained that she has two residences, one in Madison, Wisconsin and one in Oxford, Wisconsin. Oxford is approximately one hour north of UWPD. Roman acknowledged that the ultimate concern was if she was, per UWPD policy, residing within one hour of UWPD. She assured viewers she was following policy, and cited a memo²⁶ written by former Police Chief Riseling in which an exception to this rule was approved. Within this memo, former Police Chief Riseling stated, "The one-hour response framework has been translated into mileage, as well as time of time of driving to be roughly 60 miles." Roman went on to explain that her residence is 61.2 miles, with an estimated travel time of one hour and five minutes. She went on to explain that her Oxford residence falls within the established parameters of UWPD policy, but if it wasn't, exceptions can be granted with the Chief's approval. Roman also indicated that she would approve an exception for an employee with similar circumstances.

In Roman's interview on February 9, 2024, she advised that when she started as UWPD Police Chief, former Interim UWPD Police Chief Bridges advised her to track mileage from when she left home in the morning and again when she returned home at night, as well as any personal mileage. Roman stated she tracked her mileage when she first started in her position, but eventually quit doing so. She was unsure when she stopped tracking or what prompted her to quit. Roman also stated **Exercise** eventually quit requesting the mileage tracking sheets. Roman also stated her understanding of the tracking was to record personal mileage, and as she did not utilize the squad car for personal mileage, the tracking simply stopped. Roman stated she again began tracking her mileage effective January 2024, and she intended to use the squad car

²⁴ See Exhibits 10 & 12, which are earning statements and/or information related to earning statements for Roman.

 $^{^{\}rm 25}$ See Exhibit 8, which is the referenced "Ask Chief" video.

²⁶ See Exhibit 13, which is the memo Roman references.

for any personal matters she must attend to before or after her workday. She also stated that she intended to reimburse UWPD for this tracked personal mileage.

Roman advised there have been occasions during the time she did not track her mileage in which she had incidental personal use of the squad vehicle, but did not record such mileage because she was under the impression incidental personal use was permissible. Roman described incidental personal use as trips 5-10 miles out of her everyday commute in order to attend events such as medical appointments, hair appointments, and/or dinner. She estimated that use of this nature occurred, on average, 2-3 times per month. Roman also expressed her willingness to provide reimbursement for any personal mileage to the university if needed.

Regarding the proximity of her residence to UWPD, Roman reiterated much of what was mentioned in her "Ask Chief" video about this topic. She acknowledged she should have obtained approval from Vice Chancellor for Financial and Administration (VCFA) Rob Cramer (Cramer) regarding her residence location, but she explained she hasn't previously engaged with Cramer for these types of administrative items. Roman stated she had recent conversations with Cramer about her residence, and approval was granted for her to reside in Oxford. Roman believed this would be outlined through an amended appointment letter²⁷.

As for parking her personal vehicle in the UWPD parking garage, Roman stated she was given a sticker for her personal vehicle sometime within the first few months of her appointment. Roman stated it was someone from UWPD's equipment and/or logistics department who provided her with the sticker, but she was unable to recall specifically who it was. Roman further explained that receiving this sticker for her personal vehicle implied her ability to use the UWPD assigned chief parking spot for her own personal vehicle in addition to her assigned squad car. Roman was asked if she could identify names of other campus leaders afforded the benefit of parking their personal vehicle without cost at UW-Madison, as Roman referenced this in the "Ask Chief" video outlined above. Roman stated she had made a general assumption this was a benefit for leaderships across campus, and was unaware of any specific individuals in a leadership position who can park their personal vehicle without cost at UW-Madison. Roman explained this comment was made in the "Ask Chief" video to point out that certain positions across campus are afforded different benefits, privileges, and advantages.

Factual Conclusion and Application to Relevant Policies:

Within the <u>State of Wisconsin Fleet Driver and Management Policies and Procedures Manual²⁸</u>, there are several sections pertinent to the allegations at hand:

In Section 1.23 Qualified Non-Personal Use Vehicles, it states that there are certain vehicles that may be determined to be qualified to be non-personal use vehicles, which generally includes police or fire

²⁷ Of note, Roman did not receive an amended appointment letter prior to her submitting her resignation letter on February 11, 2024.

²⁸ The <u>State of Wisconsin Fleet Driver and Management Policies and Procedures Manual</u> can also be found in Exhibit 42.

vehicles. It further indicates that drivers of these vehicles are not required to reimburse the State for personal commuting miles.

In Section 1.9 Incidental Travel and Stops, it states drivers are not allowed to use a state vehicle for personal use with the exception of incidental stops. Examples of incidental stops are stopping at a restaurant, gas station, or urgent care/emergency room. Drivers are encouraged to consider the public's perception of where they are stopping.

In Section 1.10 Reimbursing Personal Miles to the State, Subsection 2. Automobile Lease Value Rule, it states: "If an employee utilizes a state vehicle for personal use, including commuting, and the personal use of the vehicle is not reimbursed to the State, the value of any non-reimbursed personal use is considered a taxable fringe benefit. This rule does not apply to a qualified non-personal use state vehicle as long as the employee is complying with the assignment requirements."

In Section 1.11 Mileage Reporting it states: "Monthly mileage reporting is required for every state vehicle. The driver is required to submit two documents when recording and reporting monthly mileage. Drivers are required to maintain an Assigned Vehicle Log form, DOA 3472 (Appendix IV) or equivalent, which records each leg of daily travel. Vehicle logs must be submitted to and maintained by the fleet coordinator. At the end of every month, the driver responsible for the vehicle is to return a completed Mileage Report (envelope), DOA-3223 or equivalent, (Appendix IX) to the owner agency."

In Section 2.26 Mileage Reports, it states: "Employees using personally assigned, work-shared and qualified non-personal use vehicles for state business must keep track of business miles on a daily basis with the Assigned Vehicle Log form, DOA3472 or equivalent, (Appendix IV) and Mileage Report (envelope), DOA-3223 or equivalent, (Appendix IX)."

Roman stated she initially tracked the mileage for her squad car when she began her role as Chief in 2017, but she stopped tracking the mileage at an unknown time. UWPD records show Roman's mileage was tracked January, February, and the majority of March of 2017, and then again in January 2024. Section 1.11 Mileage Reporting of the <u>Fleet Driver and Management Policies and Procedures Manual</u> states drivers must record daily travel, which Roman failed to do.

Roman also admitted to using her squad car to attend things such as hair appointments, doctor appointments, or dinners. She further explained these trips were not tracked because she believed this was permissible as incidental personal use. Past practice with former chiefs at UWPD seemingly allows the police chief to utilize a squad car for personal business, so long as personal mileage was tracked and subsequently reimbursed to UWPD. Section 1.9 Incidental Travel and Stops of the <u>Fleet Driver and</u> <u>Management Policies and Procedures Manual</u> suggests vehicles are not permitted to be used for personal affairs, and instead can only be used for activities such as stopping at a restaurant or gas station. However, <u>source the squad vehicle for personal miles as long as miles are tracked and reimbursed</u>. While there may be a discrepancy as to whether or not it is permissible for the UWPD Chief of Police to utilize their squad for personal mileage, it is clear in Section 1.9 Incidental Travel and Stops and 2.26 Mileage Reports that mileage for fleet vehicles must be tracked on a daily basis, which Roman failed to do.

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As for Roman's ability to park her personal vehicle in her designated stall within the UWPD garage, Roman indicated she was given a parking sticker for her personal vehicle within the first few months of her appointment, which to her implied her ability to park her personal vehicle in the UWPD parking garage without cost. Roman also commented during an "Ask Chief" video that her ability to park her personal vehicle was a benefit afforded to certain leadership positions. While this may have been incorrect information, it seems unlikely she would make such comments in a permanent video that was disseminated throughout UWPD if she was aware of her requirement to pay for parking of her personal vehicle and/or report this benefit as a taxable fringe benefit. Further, OHR-WR did not learn until after Roman's investigatory interview that she was actually in possession of two parking stickers for her personal vehicles, which is information Roman did not disclose during her interview. Although there is no evidence corroborating that Roman knowingly obtained parking stickers to circumvent her responsibility to pay for parking her personal vehicle in the UWPD parking garage, it was ultimately Roman's responsibility to be familiar with and abide by any and all applicable policies, rules, and procedures in her former role as UWPD Police Chief.

Given Roman's failure to track mileage for her squad car or pay for parking her personal vehicle at UWPD, this allegation is **substantiated**. It is OHR-WR's recommendation that UWPD work with the appropriate campus and state offices with knowledge and expertise regarding vehicle use matters, including issues around any unpaid personal miles and/or parking fees, for any required follow up and/or next steps pursuant to the applicable laws, policies, rules and/or procedures.

Allegation #2: Did Roman engage in behavior in violation of UW-5048 Consensual Relationships policy and/or UW-5046 Nepotism policy by failing to report a romantic, physically intimate, and/or sexual relationship with ?

Statements by Witnesses:

Interviews with

Throughout her investigatory interviews, stated that she and others in UWPD believe Roman may be in a romantic relationship with an employee who to Roman,

provided the following examples to support her belief:

• stated Roman and state are in each other's offices with the doors closed the majority of the day, every day, and their interactions last anywhere from 30 minutes to over an hour stated it could be business related, but state state stated it could be business related, but state have. Because of this, it's common for staff members to go look for Roman in state of office, and vice versa. If also stated that Roman and state I regularly have lunch together both in and out of the office, and they often leave around the same time at the end of the day.

²⁹ University records indicate

of her time at UWPD, which was from

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- General reported Roman and General during the same timeframe in late September 2023³⁰. While there was not any direct evidence to suggest they traveled together, several UWPD staff commented on the timing of their trips.
- stated Roman included in meetings and/or conversations that historically included only sworn police officers. Per states, the UWPD Captains feel as if Roman dismissed their expertise in these meetings and/or conversations, and instead relied on states input.
 felt this was odd because states did not have previous law enforcement experience.
 provided an example of a meeting scheduled after a citizen complaint was filed following the arrest of a UW-Madison professor in 2023. Typically, these meetings would include the UWPD captains; however, in this case, was included, but the UWPD captains were not.
- In October 2023. In October
- **Example** stated that **Example** job shadowed Roman two to three times at UW-Madison football games during the 2023 season. **Example** further stated that she is not aware of any other UWPD staff, including assistant chiefs and captains, ever shadowing Roman at football games.

said their interactions have become more and more frequent.

Interview with

During an interview with a construction on February 2, 2024, she advised she has made a few observations that have caused her to speculate Roman may be in a romantic relationship with the construction of the following examples:

• Indexed a noted Roman and Indexed I typically spend a lot of time together in the workplace, and Roman and Indexed meetings regularly exceed the allotted time. Indexed also stated that it is standard practice for UWPD staff to bring an agenda when meeting with Roman as a way to stay on task during the meeting; however, Indexed did not start getting an agenda from until recently. Indexed also noted a recent change where it seemed as if

³⁰ The second seco

Roman and were suddenly not together in the workplace as frequently as they previously were.

- also noticed that Roman's schedule oftentimes is similar to provided an example of Roman and both scheduled to be out of the office the week of February 12, 2024.
- a ride to a car dealership in January 2024. On this stated Roman provided was deviating from her typical workday schedule, and was planning on being in day, the office at approximately 5:00PM. had communicated this change to Roman, which had hoped to connect with Roman. stated was done as had previously told Roman she would be in the office that day at approximately 5:00PM. However, arrived after 5:00PM, she discovered Roman had already left to bring when to the car dealership. It should be noted that it is unclear if specifically asked Roman simply assumed Roman would meet with to meet with that evening, or if her upon arrival.

shared that after the departure of	the second second provide the second s
responsibilities for the	which included a change from the
	explained that Roman and
subsequently spent a lot of time together as a	changes were implemented but felt as if
was more valuable than others within UWPD.	

Greeting Card Found in Roman's Office:

On February 13, 2024, OHR-WR was advised that an undated greeting card³² to Roman from was found in Roman's office. The card itself stated "You make the world brighter" on the outside, while the inside stated "Your kindness has a way of making hearts a little happier and problems seem a lot smaller. Thank you for making a difference in my world." A handwritten note was also within the card, which said the following:

"Kristen,

Over the past several months I have come to realize just how special you are to me. I have appreciated our chats, our time together and our ability to connect on such a deep level. Today & everyday I am grateful for the person you are! Thank you for being a light in my darkness, a heartbeat that keeps me upright and a strength that allows me to keep moving. Life with you in it has become more enjoyable. I'm learning again what its {sic} like to laugh, give and receive love the way my heart

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³² See Exhibit 16, which is a greeting card addressed to Roman from a second second second gave Roman this card.

wants. You have quickly & consistently become the favorite part of my days. I appreciate you more than you know.

Much love,

Review of Text and Microsoft Teams Messages Between Roman and

On February 20, 2024, UWPD Interim Chief of Police Brent Plisch (Plisch) advised OHR-WR that Roman performed a factory reset on her UWPD issued cell phone prior to returning it, and as such, everything on the phone was deleted. UWPD's Information Technology (IT) department sent a request to preserve the data on the phone to the cell phone carrier, but at the time of this writing, there has not been any updates to that request.

Records related to communication between Roman and sectors via text messages and Microsoft Teams messages were obtained and reviewed as part of this investigation. Messaging related to information provided throughout the course of this investigation, as well as messages which may be considered unusually personal communication between sectors were of particular interest.

In reviewing text messages³³, there were no text messages sent between Roman and **sectors** that were determined by OHR-WR to be related to information provided throughout this investigation or constitute potentially unusually personal communication between a

The following table outlines Teams messages³⁴ sent between Roman and the sent and were determined by OHR-WR to be related to information provided throughout this investigation or constitute potentially unusually personal communication between a

Date	Time	То	From	Message
06/30/2023	21:40:32	Roman		"I'm ready for you to be home too 😉 "
07/06/2023	18:04:06		Roman	"I have been gone a while! You know what they say about absence"
07/06/2023	18:33:38	Roman		"although, I'd argue being together is more fun!"

³³ See Exhibit 17, which is an Excel spreadsheet of text messages sent between Roman and text. As Roman factory reset her phone, these messages were retrieved from UWPD issued cellular phone.
 ³⁴ See Exhibit 18, which is an Excel spreadsheet of messages sent between Roman and text. We will be the Microsoft Teams platform.

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Date	Time	То	From	Message
08/03/2023	21:08:31	Roman		"I appreciate you being open to them. Seriously!!!! I don't even have the words to describe the feelings I have about you sometimesthis being one of them."
09/01/2023	02:40:12		Roman	"Thanks. Of course I missed you in the office today. It was strangely empty for a Thursday before game day."
09/01/2023	02:46:40	Roman		"It's job security for me, but I did have a head hunter reach out to me today"
09/01/2023	02:49:35	Roman		"Tempting for sure, but I'd miss you too much."
09/10/2023	18:53:09	Roman		"My former boss was from Finland, the happiest place in the world, seems like that may be a good place to visit someday.
09/10/2023	18:53:59		Roman	"Finland, Utopia, I'm good with a trip to either!"
09/10/2023	20:14:03		Roman	"I have to step away from the computer for a bit. Thanks again for the assist. I appreciate you more than I can say and value all that you bring to me both professionally and personally."

Date	Time	То	From	Message
09/15/2023	02:22:20	Roman		"Not many people get to do what they love and do it with people that make all the good and bad worth every minute of it! I told you early on in my interview that I wanted to do something that feeds my soul, I got a bonus with what you contribute to my soul in addition to the work!"
09/15/2023	02:22:59		Roman	"I often question it, but you're teaching me to live it ""
09/15/2023	02:26:36		Roman	"Through our honest conversations, our shared goals, our alignment - which seems to have taken little effort to achieve - I truly believe that even in this short period of time together I have become a better leader and a better person. How fortunate I am. Thank you."
09/15/2023	01:30:07		Roman	"I am going to reiterate the importance of you going to a with me. I would like it to be Hawaii but if I can't have that with you then maybe we can hit up another one"

Date	Time	То	From	Message
09/27/2023 ³⁵	17:51:47	Roman		"you still on the plane?
09/27/2023	17:54:44		Roman	"Yes. Just landed in Denver seconds ago."
09/27/2023	17:55:21		Roman	"I gained an hour."

Communication with

On February 14, 2024,

was notified that an investigatory interview was scheduled for her on February 15, 2024. On reached out to OHR-WR to advise she was unable to participate in an February 15, 2024, investigatory interview until February 19, 2024³⁶. The interview was then rescheduled for February 19, 2024; however, on that date, told OHR-WR she had resigned and therefore would not be at the interview³⁷. Because time to extend her time in employment status in lieu of resigning immediately and receiving a payout for her earned leave time³⁸, her effective date of resignation was determined to be March 6, 2024. OHR-WR scheduled interviews with for February 23, 2024³⁹ and March 4, 2024⁴⁰, which she did not attend. On March 5, 2024, OHR-WR provided a final opportunity for the participate in an investigatory interview. On the following stated she would provide information via written questions. Per request, OHRdav. WR emailed questions related to her relationship with Roman.

stated that towards the end of December 2023, Roman told her she In her written response⁴¹, then initiated a discussion with Roman about the possibility of pursuing was getting a divorce. a romantic relationship, and started a consensual, romantic relationship with Roman at the beginning of stated she did not make a report about the relationship with Roman as there January 2024. was no UWPD policy which required her to report the beginning of a new relationship, nor was there any policy that required her to notify Human Resources of any relationships. further indicated that she and Roman were still exploring the viability of their relationship the first few weeks of January, did not see a reason to report their relationship to UWPD Human Resources. also shared she and Roman had been engaged in ongoing discussions about

³⁶ See Exhibit 19, which is an email from

⁴¹ See Exhibit 22, which are emails between

and OHR-WR and includes written responses. Page 17 of 32 April 8, 2024 Re: Roman Investigatory Report

³⁵ As noted earlier in this report, there was a belief Roman and traveled to Colorado together in September 2023. However, Teams messages sent on September 27, 2023 suggest they were not together.

³⁷ See Exhibit 20, which are Teams messages between and OHR-WR.

³⁸ The UW-5050 Personal and Legal Holidays policy and the UW-5052 Vacation policy outlines the ability of an employee to utilize accrued leave when resigning.

³⁹ See Exhibit 21, which are emails between

and OHR-WR. ⁴⁰ See Exhibit 22, which are emails between

and OHR-WR.

did not elaborate on. and Roman intended to discuss this **and Roman** intended to discuss this **and Roman**, which **and Roman**, which **and Roman**, which **and Roman**, which **and Roman** and professional and productive working relationship, and denied their relationship impacted their efficiency.

Statement by Respondent:

Roman stated that in October 2023, shared that she had what was described by states as a "work crush" on Roman. Roman stated she was flattered, but Roman quickly reminded states that Roman was married and was her superior. It indicated she did not have any expectations from Roman after she shared her feelings, but simply wanted Roman to be aware.

Roman admitted to entering into a romantic relationship with **Exercise** between the end of December 2023 and beginning of January 2024. Roman understood her need to report the relationship to Vice Chancellor for Finance and Administration (VCFA) Rob Cramer (Cramer), which she ultimately did on January 24, 2024. When OHR-WR asked Roman the reasoning for her delay in reporting the relationship to Cramer, Roman stated she was unexpectedly out of the office the first week in January due to an illness and was on vacation the week of January 15, 2024. Roman explained she wanted to discuss a change in during a leadership retreat scheduled for January 31, 2024, an event that historically includes discussions about changes in . Roman further specified there were other reasons outside of she and relationship for why the and wanted to thoughtfully implement the change. Once she discussed with her leadership team at the January 31, 2024 retreat, her intention was to then notify Cramer. However, after she was notified of this investigation on January 23, 2024, Roman felt she should then immediately notify Cramer rather than proceed with her plan of prior to notifying Cramer.

Roman stated she would not be surprised to know individuals at UWPD feel she spends more time with than others. When recruiting for the **second state states**, Roman noted there were new and unique challenges, such as navigating challenges associated with policework after the George Floyd murder⁴³ and managing the upset of some UWPD staff after Roman made the decision in 2021 to disallow the "Thin Blue Line⁴⁴" at UWPD. Roman stated the first six months of **second states** role was spent fully explaining the role, the expectations, and policing in general.

⁴² According to the <u>Title and Standard Job Description Library</u>, a **second second s**

⁴³ Additional information about this incident can be found in this <u>"The New York Times" article</u>, as well as a <u>PBS</u> <u>Wisconsin article</u>.

⁴⁴ Please see UWPD article titled "<u>Thin Blue Line Update</u>" for additional context. Further information about the phrase "Thin Blue Line" can be found on to <u>Dictionary.com</u>.

Roman acknowledged if she was giving more of her time to **protocology** role, it would undoubtedly take away from her ability to focus on other matters. However, she feels there have been a lot of challenges for her and her leadership team over the last year, and felt it was a priority to create an inclusive culture at UWPD.

Roman stated she has utilized an approach different than previous leadership in which Roman attempted to include a blend of sworn and non-sworn staff in meetings. Roman was asked specifically about her decision to include in meetings that took place after a citizen complaint was received following the arrest of a UW-Madison professor. Roman explained there had been two instances in a short period of time which had the propensity to cause strong responses from the community. As there was concern the incidents may involve accusations of **Exercise Section** behavior, Roman chose a new approach of involving the inthose meetings.

As for requesting a raise for the second of the second of

Roman was also asked about other various allegations that were noted earlier in this section. Regarding Roman allowing to shadow her during the UW-Madison football games, Roman confirmed shadowed her for at least one football game. Roman stated this was done to help understand the operations of UWPD. Roman further stated took opportunities as they presented themselves to learn as much as she could about law enforcement.

Roman acknowledged providing with a ride to a car shop.

Roman denied traveling to Colorado with a state of the same state at the same time.

Roman also denied she required her staff to complete agendas when meeting with them, with the exception of Captains needing to complete templates for their quarterly meetings. She stated the Assistant Chiefs do not submit agendas prior to their meetings⁴⁶, and will submit one on occasion.

Roman also denied making any types of decisions about employment due to the nature of their relationship.

⁴⁵ According to the <u>Title and Standard Job Description Library</u>, a second is responsible for supervising at least two full time employees. As such, it seems initial salary would have included consideration for supervisory responsibilities.

⁴⁶ During a consultation between OHR-WR and Plisch on February 8, 2024, Plisch stated he has not regularly submitted agendas prior to meeting with Roman for several years.

Factual Conclusion and Application to Relevant Policy:

As noted in the <u>UW-5048 Consensual Relationships</u>⁴⁷ policy:

- A consensual relationship is defined as any voluntary relationship, either past or present, which is romantic, physically intimate, or sexual in nature, and to which the parties consent or consented. This includes marriage.
- A consensual relationship between an employee and another employee where one employee has supervisory, advisory, evaluative, or other authority or influence over the other employee or where the employee reasonably believes the employee will have supervisory, advisory, evaluative, or other authority or influence over the other employee, is a violation of this policy, unless:

The employee with the supervisory, advisory, evaluative, or other authority or influence_immediately reports_the relationship to their supervisor or department chair; and

The employee with the supervisory, advisory, evaluative, or other authority or influence cooperates in actions taken to eliminate any actual or potential conflicts of interest and to mitigate adverse effects on the other employee.

Additionally, the <u>UW-5046 Nepotism policy</u>⁴⁸ states the following:

- A family or close personal relationship is defined as persons related genetically; or by marriage; adoption or foster care; domestic partnership; consensual sexual or romantic relationship; or close personal friendship.
- To avoid any conflict of interest, a university appointing authority, tenure committee member, or supervisor must not participate in any decision to hire, manage, retain, pay, promote, supervise, or grant tenure to an individual with whom they have a familial or close personal relationship.
- In the event such a relationship exists between a university appointing authority and a job applicant or between a supervisor and an employee reporting directly to them, the appointing authority or supervisor shall immediately notify their dean or director (or supervisor, by another title) and the Office of Human Resources.

⁴⁷ The <u>UW-5048 Consensual Relationships</u> policy can also be found in Exhibit 39.

⁴⁸ The <u>UW-5046 Nepotism</u> policy can also be found in Exhibit 40.

Both Roman and the provided a similar timeline of their relationship at the beginning of January 2024. While they both provided a similar timeline of their relationship, the content of Teams messages sent between and Roman and the greeting card to Roman with a sign-off of "Much love" from suggests their relationship may have started prior to the beginning of January 2024. Regardless of the exact timeframe, Roman admittedly entered into a romantic relationship with without Roman immediately reporting the relationship to her supervisor or department. While Roman asserts she was simply getting a plan in place prior to making such notification, both the <u>Consensual Relationships</u> and <u>Nepotism</u> policies mandate immediate reporting. Therefore, this allegation is <u>substantiated</u>.

As previously noted in this section, Roman performed a factory reset of her UWPD issued cellular phone prior to returning it to UWPD. As noted in **UWPD Policy 11.5, Computer Use**⁴⁹, there are 25 rules specific to UWPD issued cellular phones. The work rules deemed applicable in this policy, as determined by OHR-WR, to Roman performing a factory reset of her UWPD issued cellular phone are as follows:

Department Issued Cellular Phones Rule #9:

Text messages on a work device shall not be deleted without supervisor approval for records retention reasons, unless previously preserved for evidentiary reasons.

Department Issued Cellular Phones Rules #11:

While on duty, the device shall be in the control of the person assigned the device, a supervisor, or I.T. at all times. While off-duty, the department owned cell phone shall either be in the control of the person assigned the device, or secured in a known location that prohibits non-authorized access to the device.

Department Issued Cellular Phones Rules #15:

All communications and data are subject to open records laws.

As noted in <u>Public Records Guidelines for Employees</u>⁵⁰, UW-Madison is subjected to the Wisconsin Public Records Law, which permits members of the public access to various university records, including text messages. Furthermore, <u>UWPD Policy 82.4 Records Retention Schedule</u>⁵¹ outlines UWPD's responsibilities related to retention schedules for public records.

At the time of her resignation, Roman had over 31 years of government employment, including over 6 years serving as the UWPD Chief of Police. Given that experience, Roman was undoubtedly aware of the requirements associated with public records laws, which includes preserving public records. While Roman performing a factory reset on her UWPD issued cellular phone was not within the scope of this investigation, and therefore was not thoroughly investigated, it appears Roman is in violation of UWPD

⁴⁹ See Exhibit 50, which is UWPD Policy 11.5, Computer Use.

⁵⁰ The <u>Public Records Guidelines for Employees</u> can also be found in Exhibit 51.

⁵¹ UWPD Policy 82.4 Records Retention Schedule can also be found in Exhibit 52.

11.5 Computer Use, <u>Public Records Guidelines for Employees</u>, and <u>UWPD Policy 82.4 Records Retention</u> <u>Schedule</u>. It is OHR-WR's recommendation that UWPD work with the appropriate campus and state offices with knowledge and expertise regarding public records for next steps pursuant to the applicable laws, policies, rules, and/or procedures.

Allegation #3: Did Roman engage in behavior in violation of <u>UW-5048 Consensual Relationships</u> policy by failing to report a romantic, physically intimate, and/or sexual relationship with former UWPD employee ?

Interview with Witness:

Interview with

shared she was aware former UWPD employee and Roman had engaged in a romantic and sexual relationship at some point, but was unsure if it occurred before or during and employment at UWPD⁵². A stated that would try to share information with her regarding the nature of his relationship with Roman, but would tell him "She didn't want to hear it" because she has mandatory reporting obligations.

Statement by Respondent:

Roman admitted to engaging in a singular sexual encounter with approximately 4-6 months prior to his start at UWPD. Roman stated that reached out to her after he applied for the position, and she advised him they could not remain friends if he was hired at UWPD. Roman denied being involved in any hiring processes for the second s

Roman stated she did not report her relationship with to anyone as she did not think it was necessary to do so. After being read the definition of a consensual relationship as outlined in the <u>Consensual Relationships policy</u>, Roman agreed her relationship with would be considered a consensual relationship. When asked if she had supervisory, advisory, evaluative, or other authority or influence for the she indicated she ultimately had authority over the given her role at UWPD.

Roman stated she did not provide any advantages, special privileges, or engage in any behavior that could be described as favoritism during her interactions with **second**.

Factual Conclusion and Application to Relevant Policy⁵³:

As noted in the <u>UW-5048 Consensual Relationships</u> policy:

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⁵² According to university records, was last employed with UWPD from

⁵³ Of note, this allegation did not include a consideration for the <u>UW-5046 Nepotism policy</u> as the policy specifies the supervisor must directly report to them. Roman did not provide direct supervision for <u>upper</u> during his employment with UWPD.

- A consensual relationship is defined as any voluntary relationship, either past or present, which is romantic, physically intimate, or sexual in nature, and to which the parties consent or consented. This includes marriage.
- A consensual relationship between an employee and another employee where one employee has supervisory, advisory, evaluative, or other authority or influence over the other employee or where the employee reasonably believes the employee will have supervisory, advisory, evaluative, or other authority or influence over the other employee, is a violation of this policy, unless:

The employee with the supervisory, advisory, evaluative, or other authority or influence immediately reports the relationship to their supervisor or department chair; and

The employee with the supervisory, advisory, evaluative, or other authority or influence cooperates in actions taken to eliminate any actual or potential conflicts of interest and to mitigate adverse effects on the other employee.

Because Roman admittedly engaged in a sexual encounter with **substantiated**, but failed to report the relationship to her supervisor or department chair, this allegation is **substantiated**. While Roman stated she did not report the relationship with **substantiated** as she did not believe it was necessary to do so, as indicated earlier in this report, Roman was advised in her appointment letter of her expectation to be fully informed about consensual relationships.

Allegation #4: Did Roman engage in behavior in violation of Wisconsin Administrative Code UWS Chapter 8—Unclassified Staff Code of Ethics?

Statement by Witness:

Interview with

During an interview with the shared that Roman is a paid consultant with an organization called <u>Healy+</u>⁵⁴. She stated she is also aware that Roman has had discussions regarding Healy+ presenting at an upcoming <u>Big Ten Chiefs Conference</u>, which UW-Madison is hosting in June 2024. Stated that she encouraged Roman to keep her consulting work with Healy+ separate from her UWPD role, to which Roman responded with something to the

⁵⁴ As indicated on their <u>website</u>, "the Healy+ Group is a professional services firm specializing in organizational assessments for higher education police and campus safety organizations, Clery Act compliance consulting, afteraction reviews and special investigations, expert consulting for civil litigation, and culture and strategy services focused on diversity, equity, and inclusion practices and initiatives. The Healy+ Group serves a broad client base, including higher education, private entities, health care, government, and non-profit entities."

effect of "Okay, thanks." also stated she is aware Roman traveled for Healy+ work, but specified Roman utilized earned leave time for that trip.

stated Roman also served on the board, provided consultation, and served as a subject matter expert for the <u>International Association of Campus Law Enforcement Administrators (IACLEA)</u>,⁵⁵ which was done in her capacity as Chief of Police.

Review of Roman's Outside Activities Reports (OARs)⁵⁶:

Roman's OARs from 2018-2024⁵⁷ were obtained as part of this investigation. IACLEA was first reported as an outside activity on her OAR in 2019, and has been included on Roman's annual OARs from that time through 2024. However, Roman only reported receiving compensation of \$1-\$4,999 in 2018 on the 2019 OAR completed by Roman. She also indicated an anticipated compensation of \$1-\$4,999 in 2021 from IACLEA on her 2021 OAR, but did not list receiving any compensation in 2021 from IACLEA when she completed the 2022 OAR.

In an OAR submitted on March 8, 2023⁵⁸, Roman indicated she was compensated \$1-\$4,999 from "The Auschwitz Institute for the Prevention of Genocide and Mass Atrocities". Roman stated she started as an "online course facilitator" on September 1, 2022. Roman did not disclose this activity on the 2022 OAR.

As previously indicated, Roman completed an investigatory interview with OHR-WR on February 5, 2024. On February 7, 2024, Roman submitted an OAR for 2024. On this OAR, Roman noted compensation from Healy+ of \$1-\$4,999 in 2023 and an anticipated income from Healy+ of \$1-\$4,999 in 2024. Roman did not indicate that she anticipated to receive any other compensation in 2024.

Additional information listed on Roman's OARs is included in the section below.

Review of Additional Documentation:

On February 21, 2024, invoices for services provided by Roman as well as contracts related to Roman providing various services were found by UWPD and shared with OHR-WR as part of this workplace investigation. A review of the invoices, contracts, and related documentation was conducted, which is further explained below:

⁵⁵ As indicated on their <u>website</u>, "the International Association of Campus Law Enforcement Administrators (IACLEA) is the largest professional association devoted to excellence in campus public safety and law enforcement. Our members are police chiefs, public safety directors, law enforcement officers, and security personnel at higher education institutions across the globe." UWPD must be involved with IACLEA in order to maintain their accreditation status.

⁵⁶ Limited Term employees, which was Roman's employment status, are required to report <u>outside activities</u> via an OARS annually. <u>OARS must include all outside activities</u> related to an employee's institutional responsibilities, including their spouse's or immediate family's outside activities.

 ⁵⁷ See Exhibit 23, which includes Roman's OARs from 2018-2024. As noted in Exhibit 24, the OAR from 2017 was not readily available, and was determined to not be a necessary document to obtain as part of this investigation.
 ⁵⁸ See Exhibit 23, pages 22-38, which is the 2023 OAR submitted by Roman on March 7, 2023.

Incident #1:

- Roman signed a contract on March 20, 2018 to lead training for IACLEA on May 3-4, 2018 in Philadelphia, PA. In return, Roman was to receive \$650.00 per day of work, with total charges to not exceed \$3,250.00⁵⁹.
- IACLEA was not reported on an OAR until January 25, 2019. At that time, Roman reflected a compensation of \$1-\$4,999 in 2018 from IACLEA. She identified self-consulting as her relationship with IACLEA, and stated the relationship with IACLEA started on November 12, 2018 and ended on November 16, 2018⁶⁰.
- A review of available correspondence related to Roman facilitating this training was conducted. As shown in an email dated April 17, 2018, IACLEA's Director of Training emailed Roman to advise that the upcoming May class may need to be postponed⁶¹. A review of Roman's Outlook calendar shows Roman had scheduled meetings and other obligations the mornings of May 3-4, 2018, and was out of the office the afternoon of May 4, 2018. Furthermore, a review of Roman's timesheet shows she utilized 4 hours of vacation time on May 4, 2018⁶².
 Was asked by OHR-WR if there was any correspondence that confirmed Roman facilitated this training in May 2018 as indicated on the signed contract.
 Indicated there was not a transfer of command notification for May 3-4, 2018, which is a mandatory task to complete when the Chief of Police leaves the state⁶³. As there was not a transfer of command, or responsibilities, from Roman to one of her Assistant Chiefs during this timeframe, it does not appear Roman conducted this training as scheduled.

Incident #2:

- Roman signed a contract on March 23, 2018 to lead training at Broward College in Fort Lauderdale, FL on June 14-15, 2018⁶⁴. In return, Roman was to receive \$1,300 upon completion of the training.
- A review of Roman's timesheet shows she utilized vacation time June 13-15, 2018, which was a total of 24 hours of vacation time⁶⁵.
- Broward College was not reported on an OAR until January 25, 2019. At that time, Roman
 reflected a compensation of \$1-\$4,999 in 2018 from Broward College. She identified selfconsulting as her relationship with Broward College, and stated the relationship with Broward
 College started on June 14, 2018 and ended on June 15, 2018⁶⁶.

⁵⁹ See Exhibit 25, which is contract signed by Roman for a May 3-4, 2018 event.

⁶⁰ See Exhibit 23, pages 98-108, which is the 2019 OAR submitted by Roman on January 25, 2019.

⁶¹ See Exhibit 44, which are emails between IACLEA's Director of Training and Roman.

⁶² See Exhibit 26, which includes Roman's Outlook calendar and Roman's related 2018 timesheets.

⁶³ See Exhibit 46, which is an email from

⁶⁴ See Exhibit 27, which is a contract signed by Roman for a June 14-15, 2018 event.

⁶⁵ See Exhibit 26, which are related 2018 timesheets for Roman.

⁶⁶ See Exhibit 23, pages 98-107, which is the 2019 OAR submitted by Roman on January 25, 2019.

Incident #3:

- Roman signed a contract on October 25, 2018 to lead training for IACLEA on November 13-14, 2018 in Philadelphia, PA and on November 14-15, 2018 in Denver, CO. In return, Roman was to receive \$650.00 for up to 8 hours of work a day, with total charges to not exceed \$3,900.00⁶⁷.
- A review of Roman's timesheet shows she utilized vacation time November 12-16, 2018, which was a total of 40 hours of vacation time⁶⁸.
- IACLEA was not reported on an OAR until January 25, 2019. At that time, Roman reflected a compensation of \$1-\$4,999 in 2018 from IACLEA. She identified self-consulting as her relationship with Broward College, and stated the relationship with IACLEA started on November 12, 2018 and ended on November 16, 2018⁶⁹.

It should be noted that according to UW-Madison records, none of the above trips were funded by UW-Madison⁷⁰.

Incident #4:

- In addition to the contracts listed above, an invoice to IACLEA with the date of October 7, 2020 and a \$1,300.00 charge from Roman for "Course prep and deliver" was found. The invoice stated there was 48 hours of work completed⁷¹.
- A review of Roman's timesheet shows she utilized 4 hours of Personal Holiday leave time on October 7, 2020⁷².
- Roman did not report any compensation from IACLEA for the year 2020 on her OARs⁷³.

Incident #5:

- An additional invoice to IACLEA with a date of April 26, 2021 showed a \$1,950.00 charge for "Course prep and deliver". The invoice stated there was 24 hours of work completed on April 6, 2021 and April 26, 2021⁷⁴.
- A review of Roman's timesheet shows she did not use any type of leave on April 6, 2021 or April 26, 2021⁷⁵.
- On March 8, 2021, Roman submitted an OAR which reflected an anticipated compensation of \$1-\$4,999 in 2021 from IACLEA⁷⁶. On March 7, 2022, Roman submitted an OAR which reflected a compensation of \$1-\$4,999 in 2021 from IACLEA. She identified self-consulting for as her relationship with IACLEA, with a start date of January 1, 2017⁷⁷.

⁶⁷ See Exhibit 28, which is a contract signed by Roman for November 2018 events.

⁶⁸ See Exhibit 26, which are related 2018 timesheets for Roman.

⁶⁹ See Exhibit 23, pages 98-107, which is the 2019 OAR submitted by Roman on January 25, 2019.

⁷⁰ See Exhibit 29, which are records of trips funded by UW-Madison for Roman.

⁷¹ See Exhibit 30, which is an invoice dated October 7, 2020.

⁷² See Exhibit 31, which is a related timesheet for Roman.

⁷³ See Exhibit 23, pages 87-97, which is the 2020 OAR submitted by Roman on February 7, 2020.

⁷⁴ See Exhibit 32, which is an invoice dated April 26, 2021.

⁷⁵ See Exhibit 33, which are related timesheets for Roman.

⁷⁶ See Exhibit 23, pages 56-86, which are 2021 OARs submitted by Roman on March 8, 2021.

⁷⁷ See Exhibit 23, pages 39-55, which is the 2022 OAR submitted by Roman on March 7, 2022.

Consultation with

On February 26, 2024,

advised that when a limited appointment employee submits an OAR, it is then reviewed by the employee's supervisor, or another person in the employee's supervisory chain. The purpose of this review is to ensure the OAR has been fully completed, and to allow for the supervisor to discuss any outside activities with an employee when needed. Explained that reviewing an OAR does not signify approval, but rather provides the supervisor a chance to identify potential conflicts. Members of UW-Madison leadership are also required to submit financial disclosures to the Institutional Conflict of Interest (ICOI) Committee. The purpose of the ICOI Committee to is review employee's activities to determine if, from the general public's perception, there may be a conflict between an outside activity and an employee's UW-Madison duties. The purpose of the interest also stated that the ICOI Committee did not identify any issues with Roman's ICOI submissions⁷⁸.

Review of Roman's Institutional Official's Statement of Economic Interests Forms:

The Institutional Official's Statement of Economic Interests forms⁷⁹ Roman submitted to the ICOI Committee for review were obtained as part of this investigation. In reviewing these forms, Roman did not list any of the income received from IACLEA, Broward College, or Healy+; however, as indicated on the Institutional Official's Statement of Economic Interests forms, employees are only required to list sources of income that were \$5,000 or greater in the last calendar year. According to Roman's OARs⁸⁰, she did not earn \$5,000 or greater in a year through a single source in her involvement with any of the outside activities identified.

Consultation with Cramer:

On March 22, 2024, Vice Chancellor for Finance and Administration (VCFA) Rob Cramer (Cramer) confirmed he became Roman's supervisor in May 2021. Cramer did not recall any conversations with Roman in which she shared she was receiving compensation through her involvement with IACLEA, The Auschwitz Institute for the Prevention of Genocide and Mass Atrocities, or Healy+, nor did he recall any conversations in general with Roman about her receiving compensation through outside activities. While Cramer was aware of Roman's participation in IACLEA, Cramer stated he did not realize she was being compensated for consultation work through IACLEA. Cramer also verified Roman did not disclose any changes her outside activities throughout the year outside of her annual OAR. Cramer stated his expectation of an employee in a leadership position is to provide him with an immediate and direct notification of any changes in their outside activities.

Statement by Respondent:

Roman confirmed she performs consulting work for both <u>IACLEA</u> and <u>Healy+</u>. Roman stated she had completed one consultation with Healy+, which she described as a review of staffing and operational

⁷⁹ See Exhibit 45, which are the Institutional Official's Statement of Economic Interests forms submitted by Roman.

⁷⁸ See Exhibit 34, which are emails with

⁸⁰ See Exhibit 23, which are Roman's OARs from 2018-2024.

procedures for a Vermont based police department. Roman believed this consultation occurred in April 2023, and was compensated approximately \$3,000. Roman also stated she has an upcoming consultation with Healy+ for a local Sheriff's Department the week of February 12, 2024 in Aspen, Colorado. Roman stated she used vacation time for the travel to Vermont and to complete the consultation and intended to do the same for her trip to Colorado. She denied working on Healy+ tasks during her UWPD workday.

Roman stated she does not use any UW-Madison resources for Healy+ tasks, and has not shared any UWPD or university records, data, or information. Roman stated that she was initially contacted by a Healy+ representative via her UW-Madison email address when they were recruiting subject matter expert consultants; however, she asked the representative to instead start contacting her via a personal email address. Roman indicated she sporadically receives general questions from the Healy+ representative to her UW-Madison email address that she did not consider consulting work, but instead are more generalized questions associated with her role of Chief of Police. Roman specified she is not compensated for those types of emails. Following the interview, Roman submitted an example of a generalized email she sometimes receives from Healy+⁸¹. This email showed a question regarding security cameras sent to several individuals with what appears to be higher education email addresss. Roman indicated she does not believe she has ever responded to such an email.

Roman did not believe she had Healy+ listed on her most recent OAR, which would have been the 2023 OAR at the time of her interview. She acknowledged she has periodically received a prompt to submit a new OAR, but said she was unaware of the requirement to submit a new OAR if a new activity occurs. Roman also stated that the weak will sometimes assist with completing Roman's OAR, and that is aware of Roman's work with Healy+ but was unsure if the two of them ever specifically discussed adding that to an OAR. As previously indicated, after an investigatory interview with OHR-WR on February 5, 2024, Roman submitted a 2024 OAR which included her consultation work with Healy+.

Because OHR-WR was not made aware of the five additional instances of consultation outlined above until after Roman had submitted her resignation notice, Roman was not questioned about those incidents. Roman was also not specifically asked if she directly notified Cramer of any changes in her outside activities. At the time of OHR-WR's investigatory interview with Roman on February 5, 2024, it was initially presumed Roman was subject to <u>UW-1075 Conflict of Commitment</u>, which indicates an employee must immediately submit a new OAR upon participation in new outside activities. However, through further research, it was determined subsection UWS 8.025 of the <u>Wisconsin Administrative</u> <u>Code Chapter UWS 8--Unclassified Staff Code of Ethics</u> would best address Roman's allegations given Roman's Limited Appointment employee category.

Factual Conclusion and Application to Relevant Policy:

As outlined in subsection UWS 8.025(2)(c) of the <u>Wisconsin Administrative Code Chapter UWS 8--</u> <u>Unclassified Staff Code of Ethics</u>, certain activities which must be reported to a staff member's dean, director, or other appropriate administrator, including:

⁸¹ See Exhibit 48, which is an email forwarded to OHR-WR from Roman.

- Associations with organizations, as defined in s. UWS 8.02 (3) and (12), related to staff members' fields of academic interest or specialization;
- Private remunerative relationships between staff members and non-governmental sponsors of university research for which the staff member is a principal investigator; and
- Remunerative outside activities in a staff member's field of academic interest or specialization, including but not limited to consulting, and whether the staff member earns for such activities \$5,000 or more in a year from a single source.

Additionally, UWS 8.025 specifies that staff must file an OAR by April 30th each year. It further specifies that the employee must immediately notify, in writing, their dean, director, or other appropriate administrator of any significant changes which occur during the year.

According to **Example**, "significant" is not defined within UWS 8. However, the UW-Madison Conflict of Interest office advises all employees to update their OARs within thirty days of obtaining outside activities⁸².

Roman admittedly completed consultation work with Healy+ in April 2023, and shared her intent to complete additional consultation work with Healy+ in February 2024. Roman's 2023 OAR did not list Healy+ as an outside activity, and the 2024 OAR, which included Healy+, was not completed until after Roman's investigatory interview. Roman stated she was unaware of her responsibility to update her OAR as outside activities occur.

In reviewing Roman's OARs⁸³, it appears as that for the most part, she reported outside activities for the previous year during the annual reporting, which was required to be completed by April 30th each year. The exception to this practice occurred for 2020's activities. As previously mentioned, an invoice dated October 7, 2020 showed a \$1,300 charge to IACLEA; however, OARs from 2020 and 2021 do not reflect Roman reporting compensation from IACLEA in 2020.

While Roman may maintain she was unaware of her responsibility to make proper and timely notifications when there were changes to her outside activities, it is her responsibility as a limited appointee employee and campus leader to be familiar with all applicable campus and/or division policies, rules, and procedures, and to seek clarification in this space when necessary⁸⁴. Furthermore, at the time of her resignation, Roman had over 31 years of experience in law enforcement. Given Roman's lengthy career experience, it seems unlikely she was unaware that she had responsibilities related to participation in outside activities and/or employment as these are common policies throughout police agencies⁸⁵.

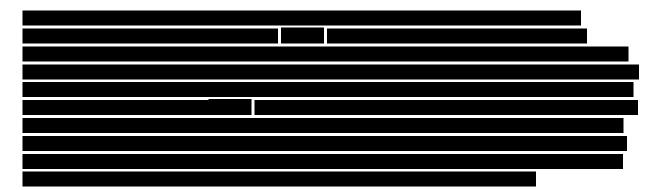
⁸² See Exhibit 34, which is an email from

⁸³ See Exhibit 23, which are Roman's OARs from 2018-2024.

⁸⁴ See Exhibit 53, which is Roman's appointment letter. In this appointment letter, it outlines Roman's involvement in policy matters, which includes a familiarity with policies.

⁸⁵ See Exhibit 36, which is City of Madison Police Department (MPD)'s <u>Outside Employment</u> policy. The effective date of this policy is September 16, 2015. Roman was employed at MPD prior to starting at UWPD in January 2017.

Based on the preponderance of the evidence, Roman failed to immediately report, in writing, her addition of outside activities through The Auschwitz Institute for the Prevention of Genocide and Mass Atrocities in 2022, and consulting work with Healy+ in 2023. Furthermore, Roman failed to disclose compensation for her work with IACLEA in 2020 on her OAR. Therefore, this allegation is **substantiated**.



Allegation #5: Did Roman engage in behavior in violation of UWPD Policy 26.1, Performance Procedures and/or UWPD Values⁸⁸?

Relevant Policies:

The following excerpts of UWPD Policy 26.1, Performance and UWPD Values have been determined to be relevant for the purposes of this investigation. While they are separate policies and/procedures, they will be considered together given their relation.

UWPD Policy 26.1, Performance Procedures:

• This UWPD policy indicates that <u>Classified Employees Work Rules</u>⁸⁹ are applicable for all UWPD employees. The work rules deemed applicable to this investigation as determined by OHR-WR are as follows:

• Section I (Work Performance), Rule E:

• E. Failure to provide accurate and complete information whenever such information is required by an authorized person.

⁸⁸ See Exhibit 35, which are the UWPD Values.

⁸⁶ See page 98 of Exhibit 23, which is part of the 2018 OAR completed by Roman on January 25, 2019.

⁸⁷ See page 40 of Exhibit 23, which is part of the 2022 OAR completed by Roman on March 7, 2022.

⁸⁹ It should be noted that Classified Employees Work Rules are typically only applicable to University Staff employees. However, UWPD has adopted the <u>Classified Employee Work Rules</u> for all UWPD employees, regardless of employee classification.

 To meet the needs of UWPD⁹⁰, UWPD added seven work rules to the <u>Classified Employees Work</u> <u>Rules</u>. The additional <u>UWPD work rules</u> deemed applicable to this investigation by OHR-WR as follows:

• Additional Work Rule #1:

Employees shall maintain a high level of moral conduct in their personal and business affairs. Conduct unbecoming an employee shall include behavior that brings the Department into disrepute, reflects discredit upon the employee or the Department, impairs the operation or efficiency of the employee or the Department, or impairs the ability to perform as a law enforcement employee. Employees shall obey all applicable oaths of office and codes of ethics. Employees shall be courteous, civil, and respectful of their supervisors, associates, and University community members.

• Additional Work Rule #2:

Employees shall not commit or omit any acts that constitute a violation of any Departmental or University rule, regulation, policy, procedure, directive, or order. Employees shall be thoroughly familiar with state statutes and directives that deal specifically and generally with their assigned duties. Employees shall immediately report to their supervisors any member who does not obey any order, directive, or law.

UWPD Values⁹¹

To aid in fulfilling their mission to UW-Madison, UWPD has identified the following six values: Honor, Integrity, Guardianship, Health, Empathy, and Respect. The most applicable value as determined by OHR-WR for the purposes of this investigation is "integrity", which is further explained as "We are committed, at all times, to cultivating and upholding public trust through honest, moral, and ethical behavior that is above all reproach."

Factual Conclusion and Application to Relevant Policies:

While anyone who is recognized as a campus leader is held to high standards, it is especially vital for a campus leader in law enforcement to engage in and promote ethical practices at all times. As outlined in earlier sections of this report, Roman failed to abide by the standards set forth in multiple and applicable UW-Madison and State of Wisconsin Department of Administration (DOA) policies and procedures.

Additionally, Roman failed to provide accurate and complete information as required when she did not immediately notify Cramer in writing of her involvement with The Auschwitz Institute for the Prevention

⁹⁰ It is common for law enforcement organizations to have rules and policies about honesty, integrity, morals, and ethics. It is also common for law enforcement organizations to have rules and policies against falsifying information and/or providing information that is inaccurate and/or misleading.

⁹¹ See Exhibit 35, which are the UWPD values.

of Genocide and Mass Atrocities or Healy+. She also failed to provide accurate and complete information as required when she did not follow the steps set forth in the Consensual Relationships policy for immediate notification of her consensual relationships with **Example 1** and **Example 2** This behavior is in violation of UWPD's Section I (Work Performance), Rule E of the <u>Classified Employees Work Rules</u> of <u>UWPD Policy 26.1, Performance Procedures</u>.

Roman's violation of multiple policies and/or procedures is behavior that insinuates leaders and/or members of a law enforcement agency do not have to abide by the same policies and rules as others. This perception does not further the trust of UWPD leadership for UWPD staff or the campus community UWPD serves and protects. Lack of familiarity with the requirements outlined in policies, procedures, and/or rules is simply not a viable excuse for an individual in a high leadership level position in a law enforcement agency. Furthermore, Roman's appointment letter outlines her involvement in policy matters, as well as the expectation she is fully informed about certain situations, including consensual relationships. Roman's behavior not only violates Additional Work Rules #1 and #2 of the <u>UWPD Policy</u> 26.1, Performance Procedures but also the UWPD values, specifically the value of integrity.

As Roman engaged in behavior that violated <u>UWPD Policy 26.1, Performance Procedures</u> and UWPD Values, this allegation is <u>substantiated</u>.

FINAL CONCLUSION:

Based on the preponderance of evidence standard, Roman violated <u>Fleet Driver and Management</u> <u>Policies and Procedures Manual, UW-5046 Nepotism, UW-5048 Consensual Relationships, Wisconsin</u> <u>Administrative Code Chapter UWS 8--Unclassified Staff Code of Ethics, UWPD Policy 26.1, Performance</u> <u>Procedures</u>, and UWPD Values.

This report concludes the investigation into this matter.

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То:	Julie Laundrie, Records Custodian – University of Wisconsin-Madison
From:	Kristen Roman, Chief of Police (Former) – University of Wisconsin-Madison
Date:	April 29, 2024

Subject:Statement in Response to Investigatory Records/Personnel File Release

When I started my policing career in 1990, I took an oath that included a promise to always have the courage to hold myself and others accountable. To this end, I accept responsibility for these policy infractions, and I hope that my legacy is not defined by them. It has truly been an honor to have served my community and my alma mater for the past 34 years, and I'm humbled to have done so alongside so many dedicated men and women. To my colleagues and community partners, I'm proud of our collaboration and the positive difference we made together over the years. And to those among you who have reached out since my resignation, thank you for your kind words of appreciation and support. I will carry all the successes and lessons learned with me as I move forward into the next leg of my journey.