



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
2014-0031	Report	Introduced
Police Department Report involving Flappers, 7527 W. Becher St. (2013-2014 Class B Tavern License no. 797 of Rodeo Grill, LLC, Mark S. Silber, Agent, Incident Date: December 8, 2013).		
Introduced: 1/21/2014		Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION

PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
JAN 21 2014	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Czaplewski	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Lajsic				
	<input type="checkbox"/>	<input type="checkbox"/>	May				
	<input type="checkbox"/>	<input type="checkbox"/>	Probst				
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Reinke				
	<input type="checkbox"/>	<input type="checkbox"/>	Roadt	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Sengstock				
	<input type="checkbox"/>	<input type="checkbox"/>	Vitale				
	<input type="checkbox"/>	<input type="checkbox"/>	Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>4</u>	<u>0</u>		

SIGNATURE OF COMMITTEE MEMBER

Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
JAN 21 2014	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Czaplewski	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Lajsic	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	May	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Probst				<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Reinke	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Roadt	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Sengstock				
	<input type="checkbox"/>	<input type="checkbox"/>	Vitale	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>8</u>			<u>1</u>

**STANDING COMMITTEES OF THE
CITY OF WEST ALLIS COMMON COUNCIL**

ADMINISTRATION & FINANCE

~~Chair: James W. Sengstock~~
Vice-Chair: Vincent Vitale
Thomas G. Lajsic
Michael P. May
Cathleen M. Probst

PUBLIC WORKS

Chair: Gary T. Barczak
Vice-Chair: Martin J. Weigel
Michael J. Czaplewski
Rosalie L. Reinke
Daniel J. Roadt

SAFETY & DEVELOPMENT

Chair: Thomas G. Lajsic
Vice-Chair: Cathleen M. Probst
Michael P. May
Rosalie L. Reinke
Vincent Vitale

LICENSE & HEALTH

Chair: Michael J. Czaplewski
Vice-Chair: Daniel J. Roadt
Gary T. Barczak
~~James W. Sengstock~~
Martin J. Weigel

ADVISORY

Chair: Rosalie L. Reinke
Vice-Chair: Michael P. May
Cathleen M. Probst
Daniel J. Roadt
Vincent Vitale



**City of West Allis
Police Department**

Liquor Establishment Violation

Date: 12/08/2013
To: Lieutenant *JESSICA JOHNSON*
From: PO Jacob Kaye

COPY

Violation Type

- Tavern Violation
- Bartender Violation
- Restaurant Violation
- Liquor Store
- No Violation but the Incident is Liquor License Related

Incident #: 13-011008 N/A

Location: 7527 W Becher St N/A

Establishment Name: Flappers Tavern N/A

Establishment License #: Class B #797 N/A

Establishment Owner: Sibling, Carolyn S N/A

Owner Address: 5005 S 104 St, Greenfield, WI 53228 N/A

Violation(s): Battery N/A

Offender: Kaminski, Michael David N/A

Offender Address: 2602 W Abbott Ave, Milwaukee, WI 53221 N/A

Offender: N/A

Offender Address: N/A

Offender: N/A

Offender Address: N/A

Offender: N/A

Offender Address: N/A

Additional Offenders listed in Incident Report narrative: Yes No

Reviewed by Commanding Officer: CPT Christopher Marks

Copy of Incident Report Attached to Liquor Laws Violation Report: Yes N/A

Commanding Officer Signature:

Reviewed by Deputy Chief *FLETCHER*

Copy forwarded to License and Health Committee: Date:



West Allis Police Department

Incident Report

Incident: Simple Assault			
Incident Report Number: 13-011008	Between: Date - Time	And/At: Date-Time 12/8/13	00:50
Incident Location: 7527 W Becher St;WA, West Allis, WI, 53219			
CFS Code-1: 1313	CFS Code-2:	CFS Code-3:	Offense Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

COPY

V	Name (Last, First, Middle) Jens, John D	DOB: 02/14/1950	Race/Sex W/M
Address: (Address, City, State, Zip) 2049 S 75 St, West Allis, WI, 53219			Home Phone Number (414) 545-9208
Employer			Work Phone Number
Employer Address			Cell Phone Number (414) 750-9935
W	Name (Last, First, Middle) Phelps, Andrew L	DOB: 07/23/1986	Race/Sex W/M
Address: (Address, City, State, Zip) 5172 S 100TH ST, HALES CORNERS, WI, 53130			Home Phone Number
Employer			Work Phone Number (414) 328-0208
Employer Address			Cell Phone Number (414) 861-4203

SUMMARY

PO Kaye Reports: Battery

On 12/08/13 at approx. 0050hrs, officers responded to Flapper's, 7525 W Becher St, for a report of individuals fighting. Investigation revealed Michael David Kaminski (M/W 02/13/88) punched and/or pushed John D. Jens (M/W 02/14/50) who fell to the ground. John sustained a scraped left knee, injured left ribs, and complained of chest pain. John was conveyed to Froedtert Hospital by the WAFD for his injuries. Michael was arrested for Battery and conveyed to the WAPD for booking. Michael was released from the WAPD and ordered in to the Milwaukee County CJF as the Milwaukee County DA's office will review this case on 12/13/13 at 0830hrs for possible charges.

Vehicle Information: (Year, Make, Model, Style, Color)			
License Number:	State:	Expiration Year:	Insurance Company:
Other Vehicle Information:			NCIC#
Reporting Officer(s): Kaye, Jacob		Payroll Number: 9904	Report Date:
Time Received: 00:50:51	Time Cleared: 01:19:22	Unit(s) Assigned: 310, 312, 315, 317, 319,	Pages: 1 Of 6
Reviewed by: Saftig, Brian		Payroll Number: 2103	Copy To:

COPY

Date:

12/08/2013

CFS Code-1:

1313

Incident Report Number:

13-011008

West Allis Police Department**Continuation**Incident Report Number
13-011008Incident Location:
7527 W Becher St;WA, West Allis, WI, 53219Incident Date:
12/08/2013**NAMES****Witness-1**

Dryja, Daniel L W/M-25 of 7530 W Becher St,1, West Allis,WI,53219
DOB: 11/23/1988 DL: d6201728842303
Home Phone:(414) 302-0972 Cell Phone:(262) 408-0992

Witness-2

Silber, Mark S W/M-54 of 5005 S 104 St, Greenfield,WI,53228
DOB: 03/10/1959 DL: S416-5575-9090-00
HT: 604 WT: 240 Hair: Brown
Eyes: Brown
Home Phone:(414) 529-3121 Cell Phone:(414) 550-7530

Witness-3

Ramsey, Justin M W/M-24 of 7530 W Becher St,1, West Allis,WI,53219
DOB: 08/05/1989 DL: R5204338928504
HT: 509 WT: 125 Hair: Blonde or Strawberry
Eyes: Blue
Cell Phone:(414) 659-5880

Caller

Silber, Carolyn S W/F-42 of 5005 S 104th St, Greenfield,WI,53228
DOB: 05/08/1971
Cell Phone:(414) 529-3127 Cell Phone:(414) 529-3121

Witness-4

Holmes - Police Officer, Randal R W/M-51 of 11301 W Lincoln Ave, West Allis,WI,53219
DOB: 07/04/1962
Work Phone:(414) 302-8000

Offender

Kaminski, Michael David W/M-25 of 2602 W Abbott Ave, Milwaukee,WI,53221
DOB: 02/13/1988 DL: K552-5448-8053-06
HT: 602 WT: 220 Hair: Brown
Eyes: Hazel
Cell Phone:(414) 243-8194

Reporting Officer(s):
Kaye, JacobID Number
9904

ID Number

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West Allis Police Department

Continuation

Incident Report Number 13-011008	Incident Location: 7527 W Becher St;WA, West Allis, WI, 53219	Incident Date: 12/08/2013
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Booking#: 13-005699

Case#	Charge	Description	Ct
13-011008	940.19(1)	Battery	1

Witness-5

Zaja, Robert A W/M-49 of 6728 W Wick Pl, Milwaukee,WI,53219
 DOB: 07/12/1964
 Cell Phone:(414) 321-1379

Contact

Bellis, Kathleen E F-61 of 2049 S 75 ST, WEST ALLIS,WI,53219
 DOB: 10/24/1952 DL: B4205055288408
 Other Phone:(414) 545-9208

Witness-6

Tyler, Kenneth J W/M-24 of 7530 W Becher St,1;WA
 West Allis,WI,53219
 DOB: 09/28/1989
 Cell Phone:(414) 255-6357 Cell Phone:(414) 426-4924

Witness-7

Jens, Jordan Russell M-19 of 2049 S 75TH ST, WEST ALLIS,WI,53219
 DOB: 04/12/1994 DL: J5204369413209
 Cell Phone:(414) 545-9208 Other Phone:(414) 750-0455

NARRATIVE

PO Kaye Reports:

On 12/08/13 at approx. 0050hrs, officers responded to Flappers Tavern, 7525 W Becher St, for a report of individuals fighting. Upon arrival officers had already arrived on scene and detained Michael David Kaminski (M/W 02/13/88) and were speaking with John D. Jens (M/W 02/14/50). I proceeded to speak with the Flappers bouncer, Andrew L. Phelps (M/W 07/23/86).

Also See CPL McNally's Supplemental Report.

Reporting Officer(s): Kaye, Jacob	ID Number 9904	ID Number	Pages: 3 Of 6
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West Allis Police Department

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ON SCENE STATEMENT - MICHAEL DAVID KAMINSKI (Offender)
See CPL McNally's Supplemental Report.

ON SCENE STATEMENT - JOHN D. JENS (Victim)
See PO Martin's Supplemental Report.

WITNESS STATEMENT - JORDAN RUSSELL JENS
See PO Taylor's Supplemental Report.

WITNESS STATEMENT - KENNETH JAMES TYLER
See PO Taylor's Supplemental Report.

WITNESS STATEMENT - ROBERT Z. ZAJA
See PO Molthen's Supplemental Report.

WITNESS STATEMENT - RANDAL HOLMES
See PO Molthen's Supplemental Report.

WITNESS STATEMENT - MARK S. SILBER
See PO Fletcher's Supplemental Report.

WITNESS STATEMENT - JUSTIN M. RAMSEY
See PO Gold's Supplemental Report.

WITNESS STATEMENT - DANIEL L. DRYJA
See PO Gold's Supplemental Report.

WITNESS STATEMENT - ANDREW L. PHELPS
Andrew advised me he is the bouncer at Flappers. Andrew stated he was working the night of this incident. Andrew explained Michael's friend (Unknown who) had been in an argument with John. Andrew said the argument started about two hours before the physical altercation between Michael and John occurred. Andrew stated both Michael and John had to be separated three separate times while inside of the tavern. Andrew advised there was not a physical altercation inside of the tavern but only arguments.

Andrew explained he had Michael and his group of friends leave as they were the ones causing the problem. Andrew said he walked Michael outside. Andrew stated Michael waited for approximately 15min outside of Flappers until John exited the tavern. Andrew told me when John left the tavern, Michael approached John from behind and punched John in the back of the head on the sidewalk in front of Flappers. Andrew indicated John fell to the ground due to being punched by Michael.

Reporting Officer(s): Kaye, Jacob	ID Number 9904	ID Number	Pages: 4 Of 6
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12/08/2013

Andrew advised he and a few other people took Michael to the ground and held him on the ground until the police arrived and handcuffed Michael.

LACK OF CONSENT

See PO Martin's Supplemental Report.

MEDICAL RELEASE FORM

See PO Martin's Supplemental Report.

ARREST DECISION

Based on the fact Michael punched John in the head and the several witness statements stating Michael physically attacked John, Michael was arrested for Battery and conveyed to the WAPD for booking.

IN CUSTODY STATEMENT - MICHAEL DAVID KAMINSKI

On 12/08/13 at approximately 0213hrs, I interviewed Michael in Interview Room B of the WAPD booking room. I read Michael his Miranda rights from WAPD Directive 42.016 (adult), and he stated that he understood his rights and would speak to me about this matter without an attorney present. The interview was recorded on an Olympus DS-2200 Digital Voice Recorder (Recorder# P12), using audio media card# P12-5. The following is a synopsis of that interview:

Michael explained he was at Flappers (S 76 St/W Becher St) the night of this incident. Michael stated he arrived at approximately 1830hrs with his wife and a couple friends. Michael said they went to Flappers as there was a charity auction at Flappers.

I asked Michael about the incident with John. Michael advised he was in the bathroom and when he came out he observed John pushing/shoving his friend "Kenny". Michael said John was saying "Kenny" was grabbing/groping one of John's female friends.

During the incident at Flappers, Michael said John said he wanted to step outside and fight. Michael explained the owner and the owner's wife stepped in and calmed the situation down and had everyone separate.

Michael stated John had a younger kid who was with him. Michael explained this younger kid came into the room of the tavern where Michael and his friends were and started arguing. Michael said he and his friends were asked to leave. Michael stated he left Flappers and waited outside for the rest of his friends to exit the tavern. Michael advised while he was waiting outside, John and his younger kid friend exited Flappers and started to yell and "Start something". Michael explained John made a comment about Michael's wife and the comment set Michael off. Michael advised he pushed John in the chest with both hands and John fell over. Michael stated he did not punch John.

Reporting Officer(s):

Kaye, Jacob

ID Number

9904

ID Number

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Interview ended at approximately 0226hrs. The audio media card was later sealed in a Digital Media Card Envelope, and placed in the Digital Media Card Slot in the Forensic and Technical Services Bureau as evidence.

RELEASE OF OFFENDER

Per LT Pye, Michael was released from the WAPD after the booking process and order in to the Milwaukee County CJF on 12/13/13 at 0830hrs.

FOLLOW-UP

On 12/13/13 at approx. 0130hrs, I contacted John by phone and advised him this case will be reviewed by the Milwaukee County DA's office on 12/13/13 at 0830. John stated he will be available by phone if the ADA would like to speak with him.

CASE DISPOSITION

A physical altercation occurred at Flappers Tavern. Investigation revealed Michael David Kaminski (M/W 02/13/88) punched and/or pushed John D. Jens (M/W 02/14/50) who fell to the ground. John sustained a scraped left knee, injured left ribs, and complained of chest pain. John was conveyed to Froedtert Hospital by the WAFD for his injuries. Michael was arrested for Battery and conveyed to the WAPD for booking. Michael was released for the WAPD and ordered in to the Milwaukee County CJF as the Milwaukee County DA's office will review this case on 12/13/13 at 0830hrs for possible charges.

COPY

Reporting Officer(s):
Kaye, JacobID Number
9904

ID Number

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West Allis Police Department

Supplementary Report

Incident Report Number 13-011008	Incident Location: 7527 W Becher St;WA, West Allis, WI, 53219	Incident Date: 12/08/2013
New Incident:	Original CFS Code - 1:	New CFS Code - 1: New CFS Code - 2:

NARRATIVE

Officer Fletcher reports...

INITIAL CALL

On 12/08/13 at approx. 0050hrs., officers responded to Flappers, 7525 W. Becher St. for a trouble call. Caller advised there was a physical fight outside of the bar and patrons were holding down one of the male parties involved. After arriving on scene, I observed Cpl. McNally take one of the male parties, Michael D. Kaminski M/W 02/13/88 into custody without incident. I then made contact with witness Mark S. Silber and spoke with him regarding the incident.

WITNESS STATEMENT - MARK S. SILBER

Mark advised he is the owner of Flappers, and that he witnessed Kaminski assault John D. Jens M/W 02/14/50 outside of the bar shortly before officers arrived on scene. Mark advised Kaminski had been drinking in the bar for approx. one and a half hours prior to the incident. Mark stated Kaminski was highly intoxicated, belligerent, and was creating a general disturbance while at the bar. During this time period, Mark advised Kaminski and Jens got into an argument inside of the bar after Kaminski bumped into Jens' wife. The argument was verbal only, and Kaminski was asked to stay away from Jens for the remainder of the evening. Kaminski continued to act belligerent and was continued to shout at Jens and other patrons inside of the bar.

At approx. 0040hrs., Mark asked Kaminski to leave the bar due to his behavior. Kaminski left the bar without incident, but continued to loiter outside of the bar for approx. ten minutes. Mark then walked outside of the bar and again advised Kaminski that he had to leave the premise. Kaminski became argumentative with Mark, and stated that he wanted to wait for his friends that were still inside of the bar. Mark advised Kaminski that he would be calling the police if Kaminski did not leave. Kaminski replied, "I don't care if you're the owner." and refused to leave the premise. At that time, Mark stated that he would be calling the police.

While Mark was standing outside of the bar with Kaminski, Jens walked out of the bar with his wife and began walking E/B on W. Becher St. Mark stated Jens or his wife did not say anything to Kaminski as he walked past them. As Jens was walking away from Kaminski on the sidewalk, Kaminski stated, "There he is," and ran after Jens. Kaminski caught up to Jens and struck him one time in the side of the head with a closed fist, causing Jens to fall to the ground. Kaminski then got on top of Jens and the two began fighting on the

Reporting Officer(s): Fletcher, Jesse	Payroll Number: 9963	Payroll Number:	Report Date: 12/08/2013
Reviewed by: Clementi, Todd	Payroll Number: 1866	Copy To:	1 Of 2

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7527 W Becher St;WA, West Allis, WI, 53219Incident Date:
12/08/2013

ground. After Kaminski got on top of Jens, a bar patron and one of the doormen pulled Kaminski off of Jens and held him on the ground until officers arrived. Mark noted that the assault was unprovoked, and that Jens did not do or say anything to Kaminski immediately before the altercation.

CONTACT WITH CALLER - CAROLYN C. SILBER

While on scene, I also spoke with Mark's wife, Carolyn C. Silber F/W 05/08/71. Carolyn advised she did not witness the assault, and was inside of the bar when the altercation occurred. Carolyn stated Kaminski was inside of the bar for approx. one and a half hours earlier in the evening and that he was causing a general disturbance. After Kaminski left the bar, Carolyn observed him and Mark speaking with one another outside of the bar. Shortly after Kaminski left, Carolyn heard Mark yelling to her inside of the bar, advising her to call the police. Carolyn then called the police and advised dispatch of the incident.

END OF SUPPLEMENT

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Reporting Officer(s):
Fletcher, JesseID Number
9963

ID Number

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West Allis Police Department

Supplementary Report

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New Incident:	Original CFS Code - 1 :	New CFS Code -1 : New CFS Code - 2 :

NARRATIVE

Officer Taylor reports:

On 12/08/13, at approximately 0050 hours, officers responded to Flappers (7525 W. Becher St.), for a fight call. Upon arrival, I made contact with two males, the other was verbally identified as Jordan Russell Jens (M/W, 04/12/94) and one identified with military identification card as Kenneth James Tyler (M/W, 09/29/1981). I spoke to both on the sidewalk outside of Flappers.

ON-SCENE STATEMENTS-JORDAN RUSSELL JENS-WITNESS

Jordan stated on 12/08/13, at approximately 0030 hours, he was with his family at Flappers, sitting near a male he verbally identified as 'Jeremy' and Jeremy's girlfriend. Jordan overheard his father John D. Jens (M/W, 02/14/50) talking to Jeremy about Jeremy's girlfriend, regarding a claim she was inappropriately touched by a male later identified as Kenneth James Tyler. John approached Tyler, who allegedly touched Jeremy's girlfriend, and told him to stop groping Jeremy's girlfriend.

At approximately 0040 hours, Jordan and his family were exiting Flappers when Jordan noticed John was abruptly shoved in the back by Michael David Kaminski (M/W, 02/13/88), causing John to fall to the ground. I asked Jordan if he or John threatened, provoked, or started a fight with Michael or Kenneth. Jordan stated his father did not provoke anything, but there was a fight, and police arrived almost immediately. Jordan refused to give any more details, stating he only witnessed John being shoved.

ON-SCENE STATEMENTS-KENNETH JAMES TYLER-WITNESS

Kenneth stated on 12/08/13, at approximately 0015 hours, he was with friends at Flappers. Kenneth was sitting near his friends after getting a drink at the bar, when Jeremy approached him, stating he was going to 'Put [Kenneth] in the hospital.' Kenneth replied he was not sure what Jeremy was talking about, and sarcastically made a comment, stating, 'It doesn't matter, I have insurance.' Jeremy continued making threats, causing Security to step in and separate the two parties.

Kenneth resumed conversation with his friends, when John approached Kenneth, and stated, 'You touch her again, you're leaving.' Kenneth was confused, and attempted to apologize to John. John walked back to the bar. Kenneth noticed Jeremy was standing at the bar's kitchen window to order food, and he approached Jeremy to apologize, in an attempt to 'resolve' the issue. This contact resulted in Jeremy 'becoming upset' and verbally confrontational with

Reporting Officer(s): Taylor, Paul	Payroll Number: 2555	Payroll Number:	Report Date: 12/08/2013
Reviewed by: Clementi, Todd	Payroll Number: 1866	Copy To:	1 Of 2

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Kenneth. The argument caused Security to intervene, and eject Kenneth's group from the bar. At this time, Kenneth went home across the street (7530 W. Becher, Apartment 1), while Michael remained outside of Flapper's to 'cool off.' While inside the residence, Kenneth noticed police were on scene, and returned to Flappers to see what happened.

END SUPPLEMENTAL

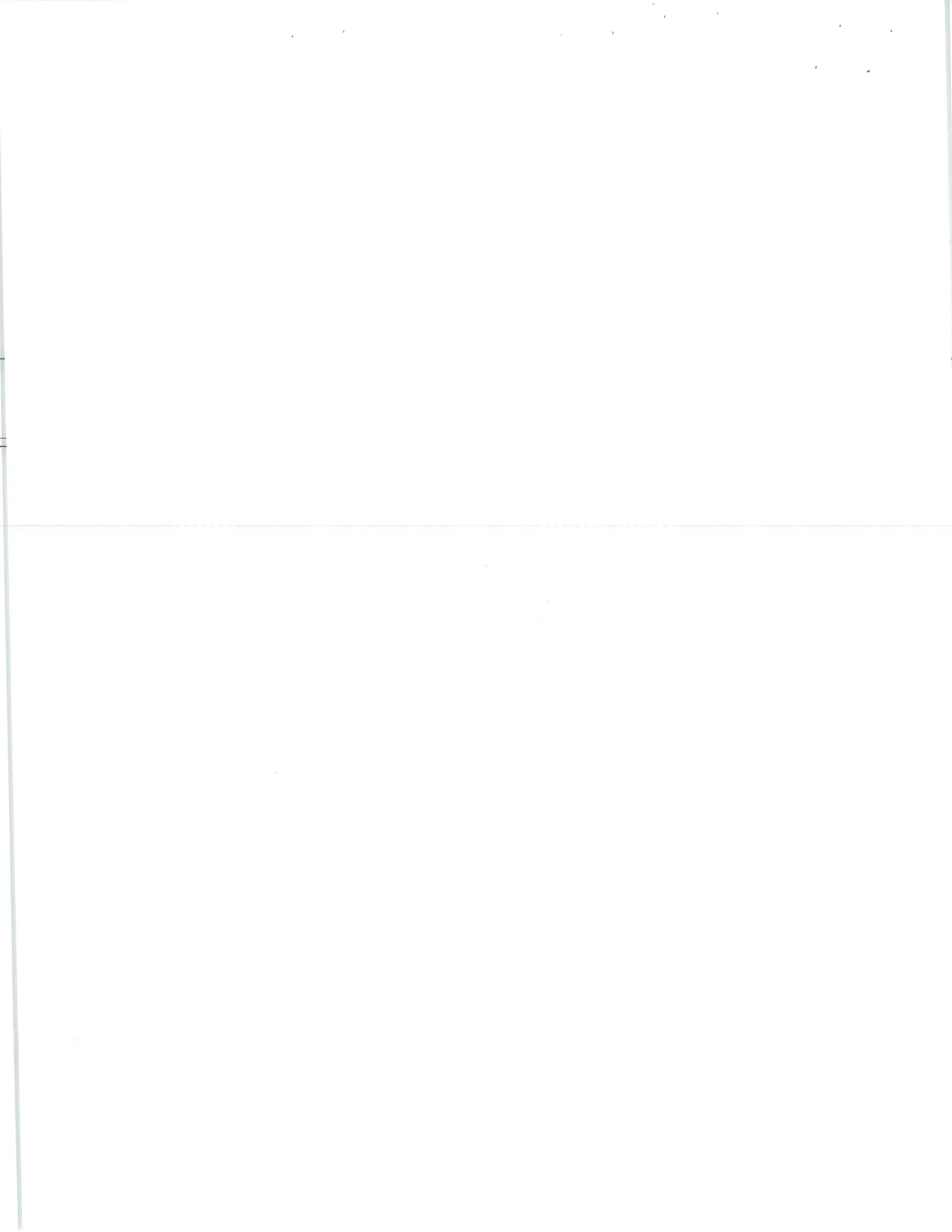
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Reporting Officer(s):
Taylor, Paul

ID Number
2555

ID Number

Pages:
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West Allis Police Department

Supplementary Report

Incident Report Number 13-011008	Incident Location: 7527 W Becher St;WA, West Allis, WI, 53219	Incident Date: 12/08/2013
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

Officer Molthen reports:

INITIAL CALL

On 12/08/13 at approximately 0051 hrs, I responded to Flappers 7525 W. Becher St. for a fight. Upon arrival, I spoke with Robert A. Zaja (M/W, 07/12/64), about this incident.

STATEMENT OF ROBERT A. ZAJA - WITNESS

I spoke with Robert who stated he observed John D. Jens (M/W, 02/15/50), and Michael D. Kaminski (M/W, 02/13/88), get into an argument over Michael allegedly grabbing one of John's female friends. Both John and Michael were separated and things were calm for about an hour. After approximately an hour, Michael walked back over to where John was, and began arguing with him again.

It is at this point the bouncer removed Michael from the bar. Once outside, Michael stood outside the bar and waited for John to exit the bar. After standing outside the bar for awhile, Michael walked west bound on W. Becher St. towards S. 76 St. John assumed that Michael had left, and decided to leave the bar. As soon as John exited the bar, Robert observed Michael walk east bound on W. Becher St. towards John.

As Michael approached John from behind, he punched him, causing John to fall to the ground. It is at this point that John's friends exited the bar, and held Michael down on the ground until police arrived.

STATEMENT OF RANDAL HOLMES - WITNESS

I spoke with Randal who stated his friend, John and another male, (Michael), had got into an argument over Michael touching a female's buttocks. After a second argument occurred, Michael was removed from the bar by the bouncer. John remained in the bar until he thought Michael had left. As soon as John exited the bar, Michael walked up behind him and punched him. Patron's exited the bar, and held Michael down until officers arrived.

End of Supplement.

Reporting Officer(s): Molthen, Bernie	Payroll Number: 9475	Payroll Number:	Report Date: 12/08/2013
Reviewed by: Clementi, Todd	Payroll Number: 1866	Copy To:	1 Of 1

West Allis Police Department

Supplementary Report

Incident Report Number 13-011008	Incident Location: 7527 W Becher St;WA, West Allis, WI, 53219	Incident Date 12/08/2013
New Incident:	Original CFS Code - 1:	New CFS Code - 1:
		New CFS Code - 2:

NARRATIVE**INITIAL RESPONSE**

On 12/08/13, I responded to Flappers, located at 7527 W Becher St, to assist with this case. Upon arrival, I made contact with John D. Jens, M/W 02/14/50.

STATEMENT OF JOHN D. JENS - VICTIM

Jens stated he was at Flappers that evening with his wife, Kathleen E. Bellis, F/W 10/24/52, and some family friends. One of his friends, Jeremy (no further information), had his girlfriend along (no further information). Kenneth J. Tyler (no further information) began to flirt with Jeremy's girlfriend and inappropriately touched her. Jens approached Tyler and politely asked him to stop. While Jens spoke with Tyler, two other men approached but the conversation remained civil. Jens had not met Tyler prior to this incident.

At that time, David M. Kaminski, M/W 02/13/88, approached and began to curse and berate Jens. Jens had never met Kaminski before this incident. Jens informed Kaminski he was trying to speak to Tyler and it did not concern Kaminski. Kaminski continued to yell at Jens. At that time the owner of Flappers, Mark S. Silber, M/W 03/10/59, approached and asked Jens to sit down and that he would handle Kaminski.

Jens stated he sat at the bar while Kaminski continued to yell. Silber eventually made Kaminski leave. Jens and Bellis decided to leave, but stayed for a little while at the request of friends at the bar because Kaminski was still in the area. Jens finally left with Bellis and his son, Jordan R. Jens, M/W 04/12/94, approx 45 minutes after the altercation with Kaminski.

Jens walked out of the bar and turned eastbound. Almost immediately after leaving the tavern he was struck from behind and fell to the ground. Jens looked and saw several men holding Kaminski on the ground. He did not know where he was struck.

LACK OF CONSENT

Jens did not consent to being physically assaulted, which caused him pain. He demanded Kaminski be arrested and agreed to participate in any type of prosecution.

MEDICAL RELEASE FORM

Reporting Officer(s): Martin, Steven	Payroll Number: 9895	Payroll Number:	Report Date: 12/08/2013
Reviewed by: Clementi, Todd	Payroll Number: 1866	Copy To:	1 Of 2

West Allis Police Department

Continuation

Incident Report Number
13-011008

Incident Location:
7527 W Becher St;WA, West Allis, WI, 53219

Incident Date:
12/08/2013

I responded to Froedtert Hospital. Jens' signed a medical release form to aid in the prosecution.

OFFICER OBSERVATIONS

I observed an abrasion on Jens' left knee. He also held the left side of his chest when he breathed, and it appeared he had pain when he breathed. Jens' confirmed my observations.

CONTACT WITH KATHLEEN E. BELLIS

At approx. 0500hrs, I received a phone call from Bellis. She stated they had returned home from the hospital. She reported Jens did not have any fractures, did not require stitches, and had no other substantial injuries.

COPY

Reporting Officer(s):
Martin, Steven

ID Number
9895

ID Number

Pages:
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West Allis Police Department

Supplementary Report

Incident Report Number 13-011008	Incident Location: 7527 W Becher St;WA, West Allis, WI, 53219	Incident Date: 12/08/2013
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

Cpl. McNally reports...

ARRIVAL

On 12-08-13 at 0050 hrs, I responded to Flappers, 7525 W. Becher St. regarding a trouble call. On arrival, I observed several bar patrons congregating outside the tavern. A few of the patrons were holding a subject, later identified as Michael D. Kaminski, down on the ground. On my arrival, I placed Kaminski in handcuffs and removed him from the area. I advised Kaminski that he was not under arrest at this time and that officers needed time to further investigate the incident that occurred.

ON SCENE STATEMENT - MICHAEL D. KAMINSKI (offender)

Kaminski stated he arrived at the tavern at approximately 6:30pm. While inside the tavern, a group of patrons that he did not know began harassing him. Kaminski told me that the group was accusing Kaminski's friend of groping a female inside the tavern. Kaminski denied that he and his friends were involved with the groping incident. Kaminski stated the group continued to instigate a fight with him and his friends.

I asked Kaminski if the argument became physical at any point. He admitted that he punched an older male with a white beard, later identified as John D. Jens, as a result of Jens continuing to harass him. Kaminski was unable to provide specific details and exactly what was being said to him, where he punched Jens, or where the physical altercation occurred. Kaminski was mostly upset that other patrons had used force to restrain him until officers arrived.

While speaking with Kaminski, I detected a strong odor of ingested alcohol emitting from his breath. His eyes were bloodshot and his speech was slightly slurred. Kaminski was unsteady on his feet, as he was swaying back and forth approximately two to three inches. Kaminski was cooperative and respectful with officers on scene.

ARREST

After speaking with other officers on the scene, I advised Kaminski that he was being arrested for battery. Kaminski was searched and placed in the back of a squad car. Kaminski was turned over to Officer Kaye for the booking process.

Reporting Officer(s): McNally, Ryan	Payroll Number: 9439	Payroll Number:	Report Date: 12/08/2013
Reviewed by: Clementi, Todd	Payroll Number: 1866	Copy To:	1 Of 1

West Allis Police Department

Supplementary Report

Incident Report Number 13-011008	Incident Location: 7527 W Becher St;WA, West Allis, WI, 53219	Incident Date: 12/08/2013
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

Officer Gold Reports...

INITIAL RESPONSE

On 12/08/13 at approx. 0050hrs. I responded to Flappers for a fight and while enroute dispatch advised the offender was being held down outside. When I arrived on scene I spoke with Justin M. Ramsey M/W 08/05/89 and Daniel J. Dryja M/W 11/23/88 who provided the same witness statement.

The offender in this incident was identified as Michael David Kaminski M/W 02/13/88 while the victim was identified as John D. Jens M/W 02/14/50.

STATEMENT OF JUSTIN M. RAMSEY & DANIEL L. DRYJA

Justin and Daniel stated they were at the tavern tonight with a group of friends that included Michael. Justin stated during the course of the evening while they were at the tavern John and his son, Jordan R. Jens M/W 04/12/94 accused the males in his group of inappropriately touching a female in their group. Justin and Daniel stated this was not true however the two continued to instigate problems and threaten their group.

Justin and Daniel stated at one point their group left, however John was already outside. Justin stated John continued to instigate problems with Michael while outside and as a result, they observed Michael push John who tripped and fell to the ground.

Reporting Officer(s): Gold, Timothy	Payroll Number: 9589	Payroll Number:	Report Date: 12/08/2013
Reviewed by: Clementi, Todd	Payroll Number: 1866	Copy To:	1 Of 1

