



West Allis Police Department

Incident Report

Incident:
Simple Assault

Incident Report Number:
19-045590

Between: Date - Time

And/At: Date-Time

11/20/19

03:26

Incident Location:
1309 S 60 St, West Allis, WI, 53214

CFS Code-1:
1313

CFS Code-2:
5311

CFS Code-3:
ZJK2618

Offense Code-4:

CFS Code-5:

CFS Code-6:

CFS Code-7:

CFS Code-8:

V

Name (Last, First, Middle)

Magritz, Erwin C

DOB:

Race/Sex

W/M

Address: (Address, City, State, Zip)

407 Island View Ct, Dousman, WI, 53118

Phone 1

(414) 460-9025

Employer

Phone 2

Employer Address

Work Phone #

O

Name (Last, First, Middle)

Rauch - Sharak, Joseph Errol

DOB:

Race/Sex

W/M

Address: (Address, City, State, Zip)

1004 S 61 ST;WA, WEST ALLIS, WI, 53214

Phone 1

(262) 473-9252

Employer

Phone 2

Employer Address

Work Phone #

SUMMARY

PO Budish reports..... DC

On 11/20/19 squads were dispatched to 1309 S 60 St (Remedy Bar), for suspicious activity. After investigation Joseph Rauch-Sharak (W/M [REDACTED] [REDACTED]) was arrested for Disorderly Conduct. Joseph was transported to the station for booking and given a future court date.

Vehicle Information: (Year, Make, Model, Style, Color)

License Number:

State:

Expiration Year:

Vin:

Insurance Company:

Other Vehicle Information:

NCIC#

Reporting Officer(s):

Budish, Benjamin

Payroll Number :

bb3019

Report Date:

11/20/2019

Time Received:

03:26:08

Time Cleared:

05:09:10

Unit(s) Assigned:

WMPD, 332, 308, 331T

Pages:

1 Of 3

Reviewed by:

Clerical and Coding Manz, Tra

Payroll Number :

TM9656

Copy To

Date: 11/20/2019
CFS Code-1: 1313
Incident Report Number: 19-045590

West Allis Police Department**Continuation**Incident Report Number
19-045590Incident Location:
1309 S 60 St, West Allis, WI, 53214Incident Date:
11/20/2019**NARRATIVE**

At the time of this investigation I was wearing my WAPD issued body camera, which was functional and activated. See video recording for precise details as the following is a summary based off little or no review.

PO Budish reports....

Initial Call

On 11/20/19 at 0326hrs squads were dispatched to 1309 S 60 St, Remedy Bar, for suspicious activity. While in route to the bar, dispatched updated us that a subject could hear a male screaming inside the bar. Dispatch stated there were two callers regarding this call.

Upon arrival as I got out of my squad I heard yelling coming from the corner. As I approached the bar I observed two males sitting on the stairs, on the south west corner of the building.

Interview with Owner

Owner identified as Erwin Magritz (W/M [REDACTED]). Erwin stated he called his bartender Joseph Rauch-Sharak (W/M [REDACTED]) at approximately 0200hrs, but got no answer. Erwin called Joseph at 0230hrs but was not able to get ahold of anyone. Erwin received a phone call at approximately 0230hrs from the security company stating the security system was not locked up. Erwin stated the company calls him if the system is not locked up by 0230hrs. Erwin walked into the bar around 0300hrs and observed his employee and a patron in the bar. Erwin stated he went to talk to Joseph asking why the bar was still open and why he had someone in it. Joseph told him he was looking for the patrons phone. Erwin told him he should have just closed up and looked for the phone the next day.

Erwin stated Joseph came after him. Erwin walked behind the bar when Joseph grabbed him and pushed him into the cooler and the bar stools, right in front of the bar. Erwin stated the push did not hurt.

Erwin stated while Joseph was pushing him, he was going to damage the bar and make sure nobody would ever come in the bar again. Erwin told Joseph he was not supposed to be drinking behind the bar. Joseph has been employed for a little over two months and this was not the first time he has been a problem for the bar. Last week Joseph had the same issue when called out by staff and ran out in the street and created a scene.

Reporting Officer(s):
Budish, BenjaminPayroll Number :
bb3019Pages:
2 Of 3

West Allis Police Department**Continuation**

Incident Report Number

19-045590

Incident Location:

1309 S 60 St, West Allis, WI, 53214

Incident Date:

11/20/2019

Interview with Joseph

See PO Dufek supplement.

Disposition

Joseph was arrested for disorderly conduct, issued citations, and released with a future court date.

Reporting Officer(s):

Budish, Benjamin

Payroll Number:

bb3019

Pages:

3 Of 3

West Allis Police Department**Supplemental Report**

Incident Report Number: 19-045590	Incident Location: 1309 S 60 St, West Allis, WI, 53214	Incident Date: 11/20/2019
New Incident:	Original CFS Code - 1: 9999	New CFS Code - 1 : New CFS Code - 2:

NAMES**Offender**

Rauch-Sharak, Joseph E U/M [REDACTED] of 1004 S 61 St, West Allis, WI, 53214

DOB: [REDACTED]

HT: 504 WT: 130 Hair: Brown

Eyes: Brown

Phone 1: (262) 473-9252

Booking#: 19-004260

Case#	Charge	Description	Ct
19-045590	WA-947.01	Disorderly Conduct	1

Contact

Wagner, Kyle William W/M [REDACTED] of 5832 W Scott St, West Allis, WI, 53214

DOB: [REDACTED]

Phone 1: (262) 844-1196

NARRATIVE

At the time of this investigation I was wearing my WAPD issued body camera, which was functional and activated. See video recording for precise details as the following is a summary based off little or no review.

Officer Dufek Reports:

INITIAL DISPATCH

On 11/20/19 at approximately 0326 hrs. Officers were dispatched to 1309 S. 60 St. for a report of a loud argument coming from the bar.

INITIAL CONTACT JOSEPH RAUCH-SHARAK

I arrived on scene and parked one residence to the south of the bar. As I exited my squad, I observed two individuals standing on the street. I

Reporting Officer(s): Dufek, Jeffrey C.	Payroll Number : JD9833	Report Date: 11/20/2019
Reviewed by: Kleinfeldt, John	Payroll Number : JK2618	Copy To: Page: 1 Of 3

West Allis Police Department**Continuation**Incident Report Number
19-045590Incident Location:
1309 S 60 St, West Allis, WI, 53214Incident Date:
11/20/2019

approached the two individuals, one of which, was later discovered to be the caller, who then directed me towards the bar. As I approached the bar, I could hear a loud argument occurring between what appeared to be two individuals.

I entered the bar parking lot and observed two individuals, later identified as Joseph E. Rauch-Sharak (m/w [REDACTED]) and Erwin C. Magritz (m/w [REDACTED]), seated on the step to the south doorway of the bar. I announced myself as a police officer and began making contact with the two, who continued to argue loudly. I advised Joseph to step away from Erwin and come speak with me.

I directed Joseph away from Erwin and patted Joseph down for any weapons. As I was patting Joseph down, he turned towards me, at which point, I attempted to gain control of Joseph's right arm. As I grabbed Joseph's right forearm, Joseph pulled his arm away from me. I regained control of Joseph's right arm and ordered him not to pull away from me. I then detained Joseph in handcuffs for my safety and his, based on his behavior of turning towards officers and pulling away. Joseph continued to yell and began to swear at Officers. I turned Joseph over to Officer Stuetzgen while I pulled my squad around to place Joseph inside.

CONTACT KYLE WAGNER-CALLER

I then made contact with the caller, identified as Kyle W. Wagner (m/w [REDACTED]), who was standing by. Wagner stated he was at the bar tonight and left to walk to the gas station on the corner of S. 60 St./W. National Ave. Wagner stated he left the gas station and was approximately 30 yards away from the bar when he heard Joseph and Erwin arguing loudly. Wagner stated he could not hear specific statements by either party and was not sure what the argument was about. Wagner had no further information.

SECONDARY CONTACT/BOOKING-JOSEPH

I pulled my squad into the parking lot and Officer Stuetzgen placed Joseph in the rear of my squad. Prior to transporting Joseph to the WAPD, Joseph stated he did not know what the argument with Erwin was about and stated he is attempting to make money for the bar. Based on statements from the caller, and Erwin, it was determined Joseph would be taken into custody for disorderly conduct.

I transported Joseph to the WAPD for booking and booked him under WAPD booking #19-004260. Joseph was issued citation #'s 1S804VWKMC and 1S804VWKMB for disorderly conduct and Intoxicating liquid beverage open during closing with a local court date of 01/06/20.

While in booking, Joseph refused to cooperate with the booking process and continually swearing at officers prompting me to call additional officers into the booking room to stand-by with me while I completed the booking process.

Reporting Officer(s):
Dufek, Jeffrey C.Payroll Number:
JD9833Pages:
2 Of 3

West Allis Police Department**Continuation**

Incident Report Number

19-045590

Incident Location:

1309 S 60 St, West Allis, WI, 53214

Incident Date:

11/20/2019

During my contact with Joseph, I observed him to have red, glassy, eyes and the strong odor of intoxicants emanating from his breath. Based on my training and experience as a police officer, I believed Joseph was under the influence of ingested intoxicants.

END OF SUPPLEMENT

Reporting Officer(s):

Dufek, Jeffrey C.

Payroll Number:

JD9833

Pages:

3 Of 3

12/11/2019 11:15
** For official use only **

WEST ALLIS POLICE DEPARTMENT

11301 W LINCOLN AVE | WEST ALLIS, WI 53227 | (414) 302-8000

Liquor Establishment Violation



Date: 11/20/19
To: Sargeant James Cato
From: Budish, Benjamin

Caller/Complainant: Erwin Magritz

Violation Type

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

Case #: 2019045590
Location: 1309 S 60
Establishment Name: Remedy Bar
Establishment License # 1733
Establishment Owner Erwin Magritz
Owner Address 407 Island View Crt, Dousman V

Violation(s):
After hours violation

Offenders

Commanding Officer Signature: _____

Reviewed by Deputy Chief Robert Fletcher: