



Title

File Number

City of West Allis

City of West Allis

7525 W. Greenfield Ave. West Allis, WI 53214

Current Status

Printed on 12/10/2014

Matter Summary

Report				Intro	oduced
Class B Tavern Lice	ense no. 680 and Dance F	fall License no. 1	101 of Fiddler's	t.(2014-2015 Green, Inc.,	
Introduced: 12/16/2	2014	Contro	olling Body: Lic	ense & Health Con	nmittee
RECOMMENDATI	ON	Por	`_		
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	RECOMMENDATION MOVER SECON FORMULITEE ME	RECOMMENDATION MOVER SECONDER Barczak Czaplewski Haass Lajsic May Probst Reinke Roadt Vitale Weigel TOTAL	Class B Tavern License no. 680 and Dance Hall License no. 1 Sandra J. Piotrowski, Agent, Incident Date: November 30, 201 Introduced: 12/16/2014 Contro MOVER SECONDER Barczak Czaplewski Haass Lajsic May Probst Reinke Roadt Vitale Weigel TOTAL Contro AYE AYE AYE AYE AYE AYE AYE AY	Class B Tavern License no. 680 and Dance Hall License no. 1101 of Fiddler's Sandra J. Piotrowski, Agent, Incident Date: November 30, 2014). Introduced: 12/16/2014 Controlling Body: License no. 1101 of Fiddler's Sandra J. Piotrowski, Agent, Incident Date: November 30, 2014). RECOMMENDATION MOVER SECONDER Barczak Czaplewski Haass Lajsic May Probst Reinke Roadt Vitale Weigel TOTAL TOTAL	Introduced: 12/16/2014 Controlling Body: License & Health Controlling Body: License &

Page 1

STANDING COMMITTEES OF THE CITY OF WEST ALLIS COMMON COUNCIL

ADMINISTRATION & FINANCE

PUBLIC WORKS

SAFETY & DEVELOPMENT

Chair: Vincent Vitale Vice-Chair: Kevin Haass Thomas G. Lajsic Michael P. May Cathleen M. Probst Chair: Gary T. Barczak Vice-Chair: Martin J. Weigel Michael J. Czaplewski Rosalie L. Reinke Daniel J. Roadt 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 Kevin Haass Martin J. Weigel

ADVISORY

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





OFFICE OF THE CITY CLERK

Monica Schultz City Clerk

December 26, 2014

Sandra Piotrowski, Agent Fiddler's Green, Inc. d/b/a Fiddler's Green 6108 W. Burnham St. West Allis, WI 53219

Dear Ms. Piotrowski:

The Chairman of the License & Health Committee orders that you appear at its meeting on Tuesday, January 6, 2015, at 6:00 P.M., in Room 128, West Allis City Hall, 7525 W. Greenfield Ave., regarding an incident, which occurred on November 30, 2014.

A copy of the incident is being sent to your home address.

Please be advised that all meetings, unless otherwise noted, are open to the public and may be televised and recorded through the City's Cable Communications Division.

If you have any questions, please contact the Clerk's Office at (414) 302-8202.

Sincerely,

Monica Schultz

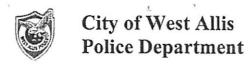
City Clerk

/amn

enclosure

cc: Sandra Piotrowski (home enclosure)

Monica Sahultz



Liquor Establishment Violation ——————
Date: 11/30/2014
To: Lieutenant Jessica Johnson
From: Officer Komorowski
Violation Type
 ☐ Tavern Violation ☐ Bartender Violation ☐ Restaurant Violation ☐ Liquor Store ☐ No Violation but the Incident is Liquor License Related
Incident #: 14-010707
0801 750
Establishment Name
Establishment Name Establishment License # Fiddless Green
Establishment License # + Adders Grant St. Owner Address Owner Address
Owner Address: 53214
3321 (615)
Violation(s): Un
Offender: Soudra J Piotrousky sure
Company of the share of the sha
Offender: WA 5322?
Offender Address:
Offender: N/A
Offender Address:
Offender: N/A
Offender Address:
Additional Offenders listed in Incident Report narrative: Yes No
Reviewed by Commanding Officer: Yes Copy of Incident Report Attached to Liquor Laws Violation Report: Yes Commanding Officer Signature:
Reviewed by Deputy Chief Robert Fletcher:
Copy forwarded to License and Health Committee: Date:

Simple Assault Incident Report Number: Between: Date - Time 11/30/14 21:14 11/30/14 21:14			Police Departr	nent	Incider	t Report
14-010707 11/30/14 21:14 1905 S 59 St;WA, West Allis, WI, 53219 1905 S 5213 74002 1905 S 59 St;WA, West Allis, WI, 53219 1905 S 5204-8: 1905 S 5204-8: 1905 S 59 St;WA, West Allis, WI, 53219 1905 S 59 St;WA, WI, 1905 S 59 St;WA,			t			
CFS Code-1: 1313 4199B 5213 7402 CFS Code-2: 1313 7402 CFS Code-3: 7701 Name (Last First Middle) Mish, Michelle L O9/15/1972 FaceSex Work Finan Number (414) 763-9660 Work Finan Number (414) 763-8850 Records: (Address Cry, Stats Zp) O08: 1905 S 59 St; WA, West Allis, WI, 53219 Name (Last First Middle) Work Finan Number (414) 763-8850 Records: (Address Cry, Stats Zp) O08: Records: (414) 763-8850 Records: (Address Cry, Stats Zp) O08: O9/24/1970 Work Finan Number (414) 763-8850 Records: (Address Cry, Stats Zp) O09/24/1970 Work Finan Number (414) 763-9660 Work Finan Number (414) 763-9660 Work Finan Number (414) 763-8850 SUMMARY Officer Komorowski reports: On 11/30/14 at 2114 hrs, officers responded to 1905 S. 59th st. for a report of shots fired. Upon arrival, I located articles of clothing and broken glass in the road in front of 1905 S. 59 St. The neighbor from 1907 S. 59th St., James A. Ouimet, M/W, 6/8/57, exited his residence and said two cars had fled the area after arguing with someone in 1905 S. 59th St. Investigation revealed Dylan J. Gilbert, M/W, 9/28/95, was involved in an altercation with his cousins, Matthew A. Zepeda, M/W, 12/28/92, and Jesse J. Gilbert, M/W, unknown DOB. Dylan's father, Jeffery J. Gilbert, M/W, 9/24/70, and Dylan's friend, James D. Jones, M/B, 8/28/93, attempted to break up the fight. Matthew Zepeda got back into his 2000 black Mercury	935	1	Between: Date	- Time		1 21.14
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Home Phone Number	Name (Last, Fire			DOB:	Race/Sex	
1905 S 59 St;WA, West Allis, WI, 53219 Call Phone Number Call Phone Phone Num		Michelle L		09/15/19		
replayer Address Name (Last, First, Middle) DOB: Gail Phone Number (414) 763-8850 N		Nost Allia W	T E2210			
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Gilbert, Jeffery J Gross: (Address, City, Stale, Zp) 1905 S 59 St, West Allis, WI, 53219 Cell Phone Number (414) 763-9660 Work Phone Number (414) 763-8850 SUMMARY Officer Komorowski reports: On 11/30/14 at 2114 hrs, officers responded to 1905 S. 59th st. for a report of shots fired. Upon arrival, I located articles of clothing and broken glass in the road in front of 1905 S. 59 St The neighbor from 1907 S. 59th St., James A. Ouimet, M/W, 6/8/57, exited his residence and said two cars had fled the area after arguing with someone in 1905 S. 59th St. Investigation revealed Dylan J. Gilbert, M/W, 9/28/95, was involved in an altercation with his cousins, Matthew A. Zepeda, M/W, 12/28/92, and Jesse J. Gilbert, M/W, unknown DOB. Dylan's father, Jeffery J. Gilbert, M/W, 9/24/70, and Dylan's friend, James D. Jones, M/B, 8/28/93, attempted to break up the fight. Matthew Zepeda got back into his 2000 black Mercury) 763-8850
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Pages:

Сору То

1 Of 8

Time Received:

Reviewed by:

21:14:13

Evenson, Chad

Time Cleared:

23:09:24

Unit(s) Assigned:

211. 212. 213. 215. 217. Payroli Number

1870

West Allis Police Department

Continuation

Incident Report Number 14-010707

Incident Location:

1905 S 59 St; WA, West Allis, WI, 53219

Incident Dato: 11/30/2014

vehicle as James stood in the street. James attempted to move toward the sidewalk out of the way, but Matthew continued to drive toward James. James drew his 9mm hand gun and fired one shot into the hood area of the SUV. The SUV backed away and Matthew and Jesse fled southbound on 59th St. James was taken into custody without incident for investigative purposes. MPD attempted to locate Matthew's vehicle with no success.

Reporting Officer(s): Komorowski, Jason

ID Number 9907

ID Number

2 Of 8

West Allis Police Department

Continuation

Incident Report Number 14-010707

Incident Location:

1905 S 59 St; WA, West Allis, WI, 53219

Incident Date: 11/30/2014

NAMES

Business

Fiddler's Green of 6108 W Burnham St West Allis, WI, 53219

Cell Phone: (414) 545-5275 Business Phone: (414) 327-2722

Contact-1

Jones, James Dion Jr B/M-21 of 5914 W BELOIT RD,1;WA

WEST ALLIS, WI, 53219

DOB: 08/28/1993 DL: J520-4449-3308-03

HT: 509 WT: 156 Hair: Black Eyes: Brown Complexion: Dark

Home Phone: (414) 313-9976

Booking#: 14-005620

Description Ct Case# Charge 14-010707 waid nonibrs ID Purposes Only - No Nibrs

Contact-2

Jones, Tori L B/F-38 of 5914 W Beloit Rd West Allis, WI, 53219 DOB: 06/29/1976

Cell Phone: (414) 313-9976 Home Phone: (414) 409-6323

Victim

Gilbert, Dylan James W/M-19

of 1905 S 59 St;WA West Allis, WI, 53219

DOB: 09/28/1995 DL: G416-1709-5348-05

HT: 601 WT: 170 Hair: Brown

Eyes: Brown

Home Phone: (414) 499-3567 Cell Phone: (414) 306-4071

Reporting Officer(s):	ID Number	ID Number	Pages:
Komorowski, Jason	9907		3 Of 8

West Allis Police Department

Continuation

Incident Report Number 14-010707

Incident Location:

1905 S 59 St; WA, West Allis, WI, 53219

Incident Date: 11/30/2014

Offender-1

Gilbert, Jesse J W/M of 2104 W Lincoln ave Milwaukee, WI, 53215

Cell Phone: (414) 400-1243

Witness-1

Buchanan, Susan M W/F-60 of 1909 S 59 St; WA West Allis, WI, 53219 DOB: 08/22/1954 Home Phone: (414) 763-9854

Witness-2

Ouimet, James A M-57 of 1907 S 59 ST WEST ALLIS, WI, 53219

DOB: 06/08/1957 DL: 05304415720802

Other Phone: (414) 763-9446

Offender-2

Zepeda, Matthew Alonzo W/M-21 of 2104 W LINCOLN AVE UPPR MILWAUKEE, WI, 53215

DOB: 12/28/1992 DL: Z130-5419-2468-09

WT: 184 Hair: Black HT: 600

Eyes: Brown

Other Phone: (414) 519-1305

NARRATIVE

INITIAL CALL

On 11/30/14 at 2114hrs officers responded to 1905 S. 59th St. for a report of shots being fired. Upon arrival, I observed two shirts and broken glass in the road in front of 1905 S. 59 St.. As I exited my squad, the neighbor from 1907 S. 59th St., James A. Ouimet, M/W, 6/8/57, exited his residence and said two cars fled the area after arguing with someone at 1905 S. 59th St. James advised me one of the vehicles was a dark colored SUV. I advised James to go back inside his residence.

Reporting Officer(s):	ID Number	ID Number	Pages:
110	9907		4 Of 8

West Allis Police Department		Continuation
Incident Report Number	Incident Location:	Incident Date:
14-010707	1905 C 59 Ct.WA West Allie WT 52219	11/30/2014

The neighbor at 1909 S. 59th St., Susan M. Buchanan, F/W, 8/22/54, exited her residence and said she had seen the cars leave, and also heard the gun shot. I quickly spoke with Susan about the incident.

STATEMENT OF SUSAN BUCHANAN-WITNESS

Susan said she saw a black SUV and a purple Dodge Stratus flee the area southbound after the gun shot was fired. Susan said the man driving the Dodge Stratus was friends with Dylan J. Gilbert, M/W, 9/28/95, who resides at 1905 S. 59th St. Susan said the man driving the Stratus is a black male and lives near the gas station near 60th/Beloit. The black male was later identified as James D. Jones, M/B, 8/28/93.

For Susan's full statement see Officer A. Cerqua's supplemental report.

OFFICER ACTIONS

I advised responding squads that one of the involved cars may have been a purple Dodge Stratus driven by a black male. Officer A. Cerqua advised me she observed a vehicle matching that description driving westbound on Beloit Rd. Officers conducted a high risk stop on that car, a 2002 Dodge Neon, WI reg 452-KPR, but determined it was not involved.

Officer Iskandarani and I made contact with the residents at 1905 S. 59th St. Jeffery J. Gilbert, M/W, 9/24/70, advised officers his son Dylan was assaulted by his cousins, Matthew A. Zepeda, M/W, 12/28/92, and Jesse J. Gilbert, M/W, unknown DOB. I spoke with Dylan while Officer Iskandarani spoke with Jeffery.

STATEMENT OF DYLAN GILBERT-VICTIM

Dylan said he went over to Matthew's house at 2104 W. Lincoln ave, in Milwaukee to watch the Packer game around 1500hrs. They were all drinking alcohol at Matthew's house until about 2000hrs when Dylan, Matthew, and Jesse went to Fiddler's Green Bar at 6108 W. Burnham St. Dylan said he told the bartender he was 19, but that he was with Matthew.

Dylan said the bartender allowed Dylan to drink at the bar and the three of them total had six shots of alcohol and 30 beers since 1500hrs. Dylan said the three of them were at Fiddler's about an hour and a half. Dylan asked Matthew to take Dylan home. Prior to leaving the bar, Dylan said he texted his mother, Michelle L. Mish, F/W, 9/15/72, and his friend James Jones to meet him at his house because Dylan did not feel safe. Dylan said he began to argue with Matthew and Jesse at the bar, and did not feel safe because Matthew and Jesse are Spanish Gangster Disciples.

Jesse drove them to Dylan's house in Matthew's Mercury Mountaineer. Dylan said his mother and James were already outside the residence. Matthew and Jesse exited the

Reporting Officer(s):	ID Number	ID Number	Pages:
Komorowski, Jason	9907		5 Of 8

West Allis P	olice Department	Continuation
Incident Report Number	Incident Location:	Incident Date:
14-010707	1905 S 59 St; WA, West Allis, WI, 53219	11/30/2014

SUV, opened the door, and pulled Dylan out of the SUV and to the ground. Matthew grabbed a glass beer mug and broke in on the ground near the car. Dylan said Jesse and Matthew each punched Dylan about five times each in the face/head causing cuts/bruises. Dylan said he did not know why Matthew and Jesse attacked him.

James came over and pulled Matthew and Jesse away from Dylan. James told Dylan to go inside his residence. Dylan said as he was walking up the front steps, he heard two gunshots. That is when his mother and father pulled him into the house and told him to go to his room. Dylan said he did not actually see who fired the gun shots, but believed it was Matthew because Matthew had a gun at the bar. Dylan said James has a concealed carry permit, but did not think James had a gun on him.

Dylan said his friend James (Dylan did not know his last name) lived one house to the east of the Citgo gas station near 60th/Beloit Rd. Officers were able to determine James' residence was at 5914 W. Beloit rd. #1.

Dylan said Matthew has two 9mm handguns, and one 12 gauge shotgun at home. Dylan said he was intoxicated and knew he should not have been drinking alcohol because he is only 19. Dylan also said he did not want to pursue charges against Matthew or Jesse for attacking him.

OFFICER ACTIONS/OBSERVATIONS

I observed a small cut near the hairline of Dylan's forehead, and a small lump/bruising on the side of his head near his left eye. Dylan also had a bloodied cut near his right ring finger/knuckle. After speaking with Officer Iskandarani, Dylan's statement was not completely consistent with his sober father, Jeffery Gilbert.

After getting Dylan's initial statement, he said he would no longer answer questions until he received his phone. At this point, Dylan did not know where his phone was, and believed it was outside on the ground. The phone was later located inside the house.

Based on the information given by Jeffery Gilbert, I located one 9mm casing next to the sidewalk in front of a car parked in front of 1905 S. 59th st. I advised Officer Vanden Boorgard so it could be photographed. After it was photographed, I recovered the casing and turned it overr to Officer Vanden Boogard.

STATEMENT OF JEFFERY GILBERT-WITNESS

See Officer Isakandarani's supplemental report.

STATEMENT OF MICHELLE MISH-WITNESS

Reporting Officer(s):	ID Number	ID Number	Pages:
Komorowski, Jason	9907		6 Of 8

West Allis Police Department

Incident Report Number 14-010707 1905 S 59 St; WA, West Allis, WI, 53219 Incident Date: 11/30/2014

See Officer Mussatti's supplemental report.

STATEMENT OF MEGAN BUCHANAN-WITNESS

See Officer Vanden Boorgard's supplemental report.

STATEMENT OF JAMES OUIMET-WITNESS

See Sgt. Borree's supplemental report.

CONTACT WITH JAMES JONES VIA PHONE

See Officer Waystedt's supplemental report.

APPREHENSION OF JAMES JONES/PERIMETER/LOCATION OF FIREARM

See Officer A. Cerqua's supplemental report.

IN CUSTODY STATEMENT/BOOKING OF JAMES JONES-CONTACT

See Officer Iskandarani's supplemental report.

PROPERTY/PHOTOGRAPHS

See Officer Vanden Boorgard's and Sgt. Borree's supplemental reports.

RECOVERY OF FIREARM

See Sgt. Borree's supplemental report.

AREA CANVAS

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See Officer Schrandt's and Officer Mussatti's supplemental reports.

NOTIFICATION OF HOSPITALS

Sgt. Tillman contacted all the area hospitals looking to see if Matthew or Jesse had come in with any injuries. They had not come in, but the hospitals would advise WAPD if they do.

RECOVERY OF VEHICLE

MPD officers Kitt and Koopmeiners of District 2 located Matthew's Mercury Mountaineer in front of the residence at 2104 W. Lincoln ave at approximately 0130hrs. Officer A. Cerqua, Officer Schneider, Officer Otto, and I responded to

Reporting Officer(s):	ID Number	ID Number	Pages:
Komorowski, Jason	9907		7 Of 8

West Allis Police Department		Continuation
Incident Report Number	Incident Location:	Incident Date:
14-010707	1905 S 59 St; WA, West Allis, WI, 53219	11/30/2014

the residence and recovered the vehicle. I observed a single bullet hole on the passenger side of the hood. A truck from N&S Towing responded to the scene to tow the vehicle back to WAPD.

Officer Schneider placed the SUV on property. She her supplemental report for further details.

ATTEMPTED CONTACT AT MATTHEW'S RESIDENCE

Officers attempted to make contact with the lower and upper parts of the duplex. There were lights on in the upper unit where Matthew lives, but no answer at either door. As the vehicle was being towed, Officer Otto advised me that lights had turned on in the upper, but no one came outside. Officers were unable to make contact with Matthew or Jesse.

CASE DISPOSITION

James was taken into custody without incident for investigative purposes. MPD located the SUV in front of Matthew's residence, and it was towed to WAPD. Case to be forwarded to the detective bureau for further follow up.

Reporting Officer(s):	ID Number	ID Number	Pages:
Komorowski, Jason	9907		8 Of 8

West Allis Police Department			Supple	mentary Report
Incident Report Number	Incident Location: 1905 S 59 St;WA,	West Allis, WT.	53219	Incident Date: 11/30/2014
New Incident:	12303 0 33 00,1121	Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:
		1313		

NAMES

Contact

Buchanan, Megan R W/F-24 of 1909 S 59 St;WA

West Allis, WI, 53219

DOB: 07/30/1990 DL: B255-5569-0770-08

HT: 504 WT: 105

Hair: Blonde or Strawberry

Eyes: Green

Home Phone: (414) 861-9160

Other Phone: (414) 763-4854

NARRATIVE

Officer Vanden Boogard reports...

WITNESS STATEMENT

I spoke to a neighbor who lives at 1909 S. 59 St., Megan R. Buchanan, F/W 07/30/90, who was home during the time of the incident. Buchanan was inside her residence when she heard men yelling at one another out on the street in front of her house. Buchanan walked outside and observed four unknown male parties standing near a black SUV that was parked outside of her residence. The men were arguing with one another when one of the parties, who was wearing a Packer ball cap, punched another party in the head. All four parties starting physically fighting and Buchanan went back inside her residence and called 911.

She was on the phone inside the residence when she heard one unknown male party scream loudly and then heard one gun shot shortly after. She did not leave her residence to observe who fired the gun and did not observe where the parties went after the gun shot.

PHOTOGRAPHS

I took the following photographs with department issued Canon Power Shot A1400 Digital Camera using media card #16-2. I stored the media card in the Forensic and Technical Services Bureau in a sealed envelope. Below is the photo log:

Reporting Officor(s):			Payroll Number:	Payreil Number:	Roport Dat .:
Vanden Boogard, Bret			bv2619		11/30/2014
Reviewed by:	Payroll Number	Copy To:	3-1		
Evenson, Chad	1870			1.0	f 2

West Allis Police Department

Incident Report Number | Incident Location: | Incident Location

- 1.) The exterior of the residence where the incident occurred in front of
- 2.) The address of #1
- 3.) The road way where the incident occurred
- 4.) Broken glass beer mug lying on the ground in the middle of the roadway
- 5.) Close up of #4 (dark)
- 6.) Close up of #4
- 7.) Broken glass lying on the ground on the road way
- 8.) Left black/grey Nike Airmax shoe lying on the ground in the roadway
- 9.) Black cell phone lying on the northeast side of the residence sidewalk
- 10.) Close up of #9
- 11.) Overview of the vehicle parked in front of the residence
- 12.) Green and gold Packer hat lying on the ground underneath the vehicle (blurry)
- 13.) Same as #12
- 14.) Same as #11
- 15.) Shell casing near curb on roadway, directly in front of the vehicle in #11
- 16.) Close up of #15
- 17.) Same as #11 (dark)
- 18.) Same as #17
- 19.) Close up of Packer jersey and white tee-shirt lying on the ground in the road way (blurry)
- 20.) Same as #19
- 21.) Photography Data sheet

PROPERTY

The following items were placed on property at the station as evidence under property #14-008659

- 1-Nike Airmax shoe, located on the roadway in front of 1905 S. 59 St.
- 2- Samsung Galaxy Mega Cell Phone, located on the northeast side of 1905 S. 59 St. on the side walk
- 3- Packer hat, Packer jersey, white t-shirt- The hat was located on the roadway underneath the vehicle parked in front of 1905 S. 59 St. The t-shirt and jersey were located on the middle of the roadway near the same vehicle
- 4- Broken glass beer mug, lying in the roadway behind the vehicle parked in front of the 1905 S. 59 St.
- 5- One 9mm shell casing, lying in the roadway in front of the vehicle parked in front of the 1905 S. 59 St.

END OF SUPPLEMENT

Reporting Officer(s):	ID Number	ID Number	Pages:
Vanden Boogard, Bret	bv2619		2 Of 2

West All	is Police Department S	upplementary Report
Incident Report Number	Incident Location: 1905 S 59 St; WA, West Allis, WI, 53219	Incident Date: 11/30/2014
New Incident:	Original CFS Code - 1: New CFS Code - 1: 1313	-1: New CFS Code - 2:

NARRATIVE

PHONE CONTACT WITH 5914 W. BELOIT RD.

On 11/30/14 at 2225hrs, I attempted contact with the residence at 5914 W. Beloit Rd. A phone number was provided by James D. Jones Sr. (M/B 09/09/74) who was being detained by officers. James Sr. stated the phone number was for his wife, Tori, who was inside the residence.

I called the phone number, 414-313-9976, and spoke with Tori. Tori stated her son, James D. Jones Jr. (M/B 08/28/93), was at the residence. She allowed me to speak with James Jr. James Jr. came on the phone and admitted there was an incident down the street involving a firearm. James Jr. stated he owns a firearm and agreed to come outside and speak with officers. I advised James Jr. of the precautions officers have to make at this point due to a firearm possibly being discharged. James Jr. agreed to exit the residence.

I gave James Jr. specific instructions on how to exit the residence: James Jr. followed my instructions and exited the residence. He followed officers instructions and was taken into custody. James Jr. was cooperative during my contact with him.

END OF SUPPLEMENT

Reporting Officer(s): Waystedt, Christine V.			Payroll Number: 9828	Payroll Number:	Report Dat : 11/30/2014
Reviewed by:	Payrell Number	Copy To:			
Evenson, Chad	1870			1 0	of 1

	West Allis Police Department Supplementary I						
-	port Number L 0 7 0 7	Incident Location:	St:WA.	West Allis,	. WI.	53219	Incident Date: 11/30/2014
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THEF	R NAMES			1			
V	NEST ALLIS DOB: 08/2 HT: 509 Eyes: Bro	,WI,53219	Hain lexion:	r: Black	914 W	BELOIT RD,1;W	7A
PROPI	ERTY LIST						
_						rial#	
L4-00	======= 08659 EVI				rey N	ike Airmax,	1.000 \$20.00 [Recovered]
2	EVI	Samsung		1 Samsung with a Ba White/gr	llist:	xy Mega,black, ic Case-	, 1.000 \$200.00
(Rec	overed]						
3	EVI				tee-	acker shirt/ green	
[Rec	overed]						
4	EVI			1 broken	glass	beer mug	1.000 \$1.00 [Recovered]
5	EVI			1 9mm she	ll ca	sing	1.000 \$1.00 [Recovered]
Reporting (3				1 1	'ayroll Number: Repert Dat :
Vand	len Booqare	a, Bret		Payroll Number	Copy To:	bv2619	11/30/20
Fuen	son, Chad			1870			1 Of 1

West Allis Police Department			Suppler	nentary Report
Incident Report Number	Incident Location:			Incident Date:
14-010707	1905 S 59 St;WA,	West Allis, WI,	53219	11/30/2014
New Incident:		Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:
		1313		

NARRATIVE

Sergeant Borree reports...

INITIAL CALL

On 11/30/14 at approximately 9:15pm, I responded to a weapons call in the area of 1905 S. 59 St. I arrived on the scene and assisted Officers with a witness statement, scene photographs, and recovering a firearm.

WITNESS STATEMENT (James A. Ouimet)

James Ouimet lives at 1907 S. 59th St. which is an upper flat. James stated he heard a "commotion" outside that sounded like a fight. He went down his front staircase and looked down at the street through the blinds of his closed door. He observed what he believed to be four to five males engaged in a physical confrontation. At least two males were fighting between the sidewalk and street near the passenger side of James' SUV which was parked in front of his residence.

At one point, James observed two white males inside of an SUV facing southbound on 59th St. in front of his house. A black male was near the front of the SUV and was holding an object in his right hand. At first, James believed the object was pepper spray, but then he heard the black male yell "I've got a gun." James observed the black male point the firearm at the front of the SUV and fire one round. It appeared that the firearm was pointed at the windshield of the SUV.

As soon as the firearm was fired, James got down and took cover for fear of being shot. He did not see where any of the subjects involved went, but knows that the SUV with the two white males left the area southbound. James stated he did not recognize any of the subjects involved in this incident, and would probably not be able to identify any of them in the future.

SCENE PHOTOGRAPHS

I utilized WAPD Patrol digital camera 13 and media card 13-3 to take 28 digital photographs of the scene:

- 1. Overview of the scene facing north
- 2. Overview of the scene facing northwest
- 3. Overview of the scene facing west
- 4. Overview of the scene facing south

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Reporting Officer(s):		Payroll Number:	Payroll Number:	Report Dat .:
Borree, Peter		9897		11/30/2014
Reviewed by:	Payroll Number Copy To	0:		
Evenson, Chad	1870		1	Of 3

West Allis Police Department

Incident Report Number

14-010707

1905 S 59 St;WA, West Allis, WI, 53219

Continuation

Incident Date:
11/30/2014

- 5. Overview of the scene facing southeast
- 6. Overview of the scene facing east, showing smartphone on sidewalk
- 7. Black smartphone
- 8. Broken glass mug located in street north of parked SUV
- 9. Shoe located in street north of parked SUV
- 10. Overview of items in street north of parked SUV
- 11. Clothing items located in street east of parked SUV
- 12. Hat located under SUV (out of focus)
- 13. Hat located under SUV
- 14. Address of scene 1905 S. 59 St.
- 15. View of scene from porch at 1905 S. 59 St.
- 16. View of scene from porch at 1905 S. 59 St.
- 17. Overview of the scene facing west
- 18. Overview of the scene facing west
- 19. Firearm recovered from 5914 W. Beloit Rd. Smith & Wesson M&P 9mm
- 20. Close-up of firearm (overexposed)
- 21. Close-up of firearm (out of focus)
- 22. Serial number of firearm HBK9878
- 23. Firearm with magazines
- 24. Magazines loaded
- 25. Magazines loaded
- 26. Serial number of firearm HBK9878
- 27. 9mm spent brass cartridge located approximately 2 feet south of parked SUV
- 28. 9mm spent brass cartridge located approximately 2 feet south of parked SUV

Media card 13-3 was submitted to FTSB.

RECOVERY OF FIREARM

Officers entered the lower unit of 5914 W. Beloit Rd. after James Jones was placed into custody. A Smith & Wesson M&P 9mm handgun was recovered on the scene by Officer A. Cerqua. Officer A. Cerqua turned the firearm to me along with two loaded magazines. The firearm was made safe and secured inside my locked patrol car.

I transported the firearm to the West Allis Police Department. One magazine was fully loaded with 17 hollow-point 9mm cartridges, and one magazine was loaded with 11 hollow-point 9mm cartridges. The following items were inventoried and placed onto Phoenix property:

1. Smith & Wesson M&P 9mm semi-automatic handgun, serial number HBK9878, placed onto Phoenix property #14-008658-1 - It should be noted that the firearm was entered into Phoenix property erroneously with the serial number of HBK9897

Reporting Officer(s):	ID Number	ID Number	Pages:
Borree, Peter	9897		2 Of 3

- 2. Two Smith & Wesson M&P 9mm magazines, placed onto Phoenix property #14-008658-2
- 3. 28 unfired 9mm hollow-point cartridges which were recovered from the handgun magazines, placed onto Phoenix property #14-008658-3

The firearm, magazines, and ammunition were placed into evidence locker #7.

This report will be submitted to the Commanding Officer for review.

West Allis Police Department			Supplei	nentary Report
Incident Report Number	Incident Location:			Incident Date:
14-010707	1905 S 59 St;WA,	West Allis, WI, 5	3219	11/30/2014
New Incident:		Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:
I		1313		

OTHER NAMES

Jones, James Dion Jr B/M-21 of 5914 W BELOIT RD,1;WA

WEST ALLIS, WI, 53219 DOB: 08/28/1993

HT: 509

WT: 156 Hair: Black

Eyes: Brown Complexion: Dark Home Phone: (414) 313-9976

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
====:		=======================================	=======================================	
14-0	08658			
1	EVI	Smith & Wesson	Smith & Wesson M&P 9mm	1.000
			semi-automatic handgun	\$500.00
		9mm	HBK9897	[Recovered]
2	EVI	Smith & Wesson	Two 17 round Smith & Wesson	2.000
			M&P 9mm magazines	\$30.00
		9mm		[Recovered]
3	EVI		28 9mm hollow point	28.000
			cartridges	\$20.00
		9mm	·	[Recovered]

Reporting Officer(s):		Payroll Number:	Payroll Number:	Report Dat :
Borree, Peter		9897		11/30/2014
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Evenson, Chad	1870		1.0	f 1

West All	is Police Department		Supplementary Report
Incident Report Number	Incident Location:		Incident Date:
14-010707	1905 S 59 St;WA,	West Allis, WI, 5321	.9 11/30/2014
New Incident:	,	Original CFS Code - 1: New 0	CFS Code -1 : New CFS Code - 2:

NAMES

Witness

Mish, Michelle L F-42 of 1905 S 59 St;WA West Allis,WI,53219

DOB: 09/15/1972 DL: M200-5527-2835-00

HT: 503 WT: 165 Hair: Brown

Eyes: Brown

Cell Phone: (414) 763-8850 Cell Phone: (414) 334-4361

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NARRATIVE

Officer Mussatti reports...

STATEMENT OF MICHELLE L. MISH - WITNESS

I spoke to Michelle L. Mish, F/W 09/15/72, who said she observed most of the incident. She said the main people involved were Dylan (her son), who was being assaulted by his cousins, "Matthew" and "Jesse".

Mish said it first started while she was doing homework in the dining room. Her boyfriend, Jeffery, heard something outside, and went to the window to see what was going on. Mish followed him to also see what was happening. Jeffery looked out the window and he immediately ran outside. Mish followed to the front door, and she saw Dylan arguing with Matthew and Jesse. Matthew started to punch Dylan. Mish and Jeffery attempted to stop the fighting, and Jeffery was punched in the face. Mish did not know who punched Jeffery.

During the altercation, Matthew and Jesse got Dylan to the ground. On the ground, both individuals continued to punch Jesse. Mish tried to stop the individuals, but observed Matthew and Jesse getting pulled off of Dylan. She told the others to get out, and she headed towards the house while trying to get Dylan inside. She looked back and observed either Jesse or Matthew enter a vehicle, but she did not know who. She described the vehicle as a black Mercury SUV.

When Mish saw an individual enter the SUV, she observed a M/B (later identified as James Jones) standing in front of the vehicle, but slightly offset, closer to the west sidewalk. She said this was the first time she

Reporting Officer(s):	- the SUV acce.	Payroll Numbo	r: Payrol Number:	Report Dat .:
Mussatti, Kevyn		9906		11/30/2014
Reviewed by:	Payroll Number	Copy To:		
Evenson, Chad	1870			1 Of 2

West Allis Police Department Incident Report Number 14-010707 1905 S 59 St; WA, West Allis, WI, 53219 Continuation Incident Date: 11/30/2014

angle towards James, and she believed the driver attempted to hit him with the vehicle. She said it sounded like the SUV hit the parked vehicle (directly in front of the house) on the road, but she observed Jones "stagger" as if he was hit. The SUV backed up, and the second cousin got inside the vehicle (unknown which cousin).

Mish continued trying to get her family in the house, and she heard a gunshot, which she actually thought sounded like a firecracker. She heard a neighbor yell "He has a gun". Ultimately, Mish, Jeffery, and Dylan entered the residence. Mish said she positively heard only one shot.

CANVASS

Investigating officers advised me Jones shot in a northeast direction. I inspected 1926 s. 59 st., 5830 W. Beloit Rd., and 5824 W. Beloit Rd. (all directly east and southeast) to see make sure there was not a stray shot. 5824 W. Beloit Rd. was a brick apartment building, and the windows all appeared undamaged. I inspected several vehicles, and did not see any noticeable damages consistent with a bullet hole.

End of Supplemental Report

West All	is Police Department		Supplen	nentary Report
Incident Report Number	Incident Location:			Incident Date:
14-010707	1905 S 59 St;WA,	West Allis, WI,	53219	11/30/2014
New Incident:		Original CFS Code - 1:	New CFS Code -1:	New CFS Code - 2:
		1313		

NAMES

Contact

Jones, Tori L B/F-38 of 5914 W Beloit Rd West Allis, WI, 53219 DOB: 06/29/1976

Cell Phone: (414) 313-9976 Home Phone: (414) 409-6323

Witness

Buchanan, Susan M W/F-60 of 1909 S 59 St; WA West Allis, WI, 53219 DOB: 08/22/1954 Home Phone: (414) 763-9854

NARRATIVE

PO A. Cerqua reports...

STATEMENT OF SUSAN M. BUCHANAN

I spoke with the resident, Susan M. Buchanan, at 1909 S. 59 St., and she advised she was outside on her front porch when she observed a black vehicle, unknown description, parked in front of her residence facing S/B. Buchanan said there was an SUV, stopped in the middle of the street, in front of 1905 S. 59 St.

Buchanan stated there was a physical altercation that occurred in the street, but she was not able to tell me who was involved. Buchanan said someone involved in the altercation walked around to the passenger side of the SUV and started banging on it.

Buchanan advised at some point during the incident, she heard Michelle L. Mish, F/W 09/15/72, yell "get your hands off him," which she believed was Mish defending her son, Dylan J. Gilbert, M/W 09/28/95. Buchanan said she observed Gilbert in the street during the altercation but only heard Mish yelling.

Reporting Officer(s):			Payrell Number: 9653	1 .	Report Dat .: 11/30/2014
Cerqua, Allison			3033		11/30/2014
Reviewed by:	Payroll Number	Copy To:			
Evenson, Chad	1870			10	f 2

West Allis Po	olice Department	Continuation
Incident Report Number	Incident Location;	Incident Date:
14-010707	1905 S 59 St;WA, West Allis, WI, 53219	11/30/2014

Buchanan explained she heard a gunshot while still standing on her porch, and turned around and walked back inside her residence. Buchanan was not able to provide a description of anyone involved in the altercation, and the only person she observed and was able to identify was Gilbert.

APPREHENSION OF JAMES D. JONES

After Officer J. Komorowski obtained an initial statement from Gilbert at his residence, he identified the shooter, James D. Jones, M/B 08/28/93, as residing one house east of the Citgo gas station, 5926 W. Beloit Rd. on the north side of the street. The residence was described as brown in color and officers determined the address was 5914 W. Beloit Rd.

Officers set up a perimeter around Jones's residence and maintained their positions until Jones was contacted by phone. Two parties exited Jones's residence, later determined to be Jones's father and sister, and were detained without incident. Confirmation was obtained from both parties that Jones was currently inside the residence at 5914 W. Beloit Rd.

Officer C. Waystedt ultimately made phone contact with Jones and ordered him to exit the residence. See Officer C. Waystedt's supplemental report for phone contact with Jones. Jones was cooperative and exited the residence. An arrest team located east of Jones's residence, on the north side of the street, took over verbal commands and detained Jones in handcuffs without incident.

LOCATION OF FIREARM

Officers asked Jones where his firearm was, and he advised the firearm was located in his bedroom, underneath his mattress. Jones stated the magazine that had been in his firearm was lying on top of his mattress. Officers made contact at Jones's residence and spoke with his mother, Tori L. Jones, F/B 06/29/76, who advised she was already aware of what happened.

Tori directed officers to Jones' bedroom, and located on his bed was a duty belt, a security hat, and a security officer uniform. One magazine was located lying on the bed, and an additional magazine was located in a magazine holder on the duty belt. Officer C. Waystedt lifted the mattress up from the bed, and the firearm was located near the foot of the bed, between the box spring and mattress.

The firearm and magazines were turned over to Sgt. P. Borree, at the scene, and transported to the station to be placed on property.

Reporting Officer(s):	ID Number	ID Number	Pages:
Cerqua, Allison	9653		2 Of 2

West All	is Police Department		Suppler	nentary Report
Incident Report Number	Incident Location:			Incident Date:
14-010707	1905 S 59 St;WA,	West Allis, WI,	53219	11/30/2014
New Incident:		Original CFS Code - 1:	New CFS Code -1:	New CFS Code - 2:
		1313		

NAMES

Witness

Gilbert, Jeffery J W/M-44 of 1905 S 59 St

West Allis, WI, 53219

DOB: 09/24/1970 DL: G416-4307-0344-00

Eyes: Brown Complexion: Light Brown

WT: 260 Hair: Brown

Home Phone: (414) 763-9660

Cell Phone: (414) 763-8850

NARRATIVE

PO ISKANDARANI REPORTS:

INITIAL INFORMATION:

On 11/30/2014 at approx. 2115hrs, officers responded to 1905 S 59 St to investigate a weapons call. Dispatch advised at least 1 shot was fired and a vehicle may have been fleeing from the scene. Upon arrival, we secured the scene and then began speaking with witness that were possibly involved in the confrontation that occurred outside the address. I spoke with Jeffrey J Gilbert M/W 09/24/1970.

OFFICER OBSERVATIONS:

Upon arrival to the scene, I observed a broken bottle, a cell phone on the ground, and miscellaneous clothing on the ground consistant with a physical altercation that occurred in front of the residence.

STATEMENT - JEFFREY J GILBERT (WITNESS):

Jeffrey advised he was inside of his home located at 1905 S 59 St when this incident allegedly occurred. Jeffrey stated he and his wife heard a loud noise he believed was glass breaking. Jeffrey stated he looked outside and saw his son, Dylan J Gilbert M/W 09/28/1995 and two other people involved in what he believed was a physical confrontation.

Jeffrey stated he exited the front door of his residence and tried to break the fight up which involved his son, Dylan. Jeffrey stated there were a total of three other people outside of his home. Jeffrey stated he rangenized two

Iskandarani, Alexander		9965	1	12/01/2014
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Evenson, Chad	1870		1.0	E_3

West Allis Poli	ce Department	Continuation
Incident Report Number	Incident Location:	Incident Date:
14-010707	1905 S 59 St; WA, West Allis, WI, 53219	11/30/2014

After taking Jeffrey's statement, myself and PO Komorowski proceeded to the intersection of S 59 St / W Beloit Rd to assist officers in safely removing James from his residence to question the subject.

ON SCENE MIRANDIZED STATEMENT:

After securing James in handcuffs and in the back of my squad vehicle, I activated my vehicle camera system inside my squad and read James his rights. James advised he understood his rights and agreed to speak with me regarding this incident.

James stated he was driving near the area of S 59 St / W Burnham Ave when he observed a physical altercation involving someone he knew, Dylan. James stated he stopped his vehicle near the residence and exited. James stated when he exited the vehicle he was wearing his work uniform which included a duty belt, firearm, baton, and pepper spray. Furthermore he advised he is currently employee for "Twin City Security" and had recently got off work.

James stated when he exited the vehicle, he saw Dylan and his mother and father outside trying to break up a fight with two other individuals. James reported he never saw the two other people in the past and could not identity them by name (Matthew and Jesse J).

James stated he ultimately tried to break the physical altercation up between Dylan and the other subject. James reported one of the subjects started walking towards him. James stated he threatened the subject with pepper spray. James stated the subject ultimately got into a dark colored SUV and accelerated hard towards him.

James stated he tried to move away from the vehicle but the driver continued moving the vehicle towards him. James stated he shot one (1) shot at the hood of the vehicle to try and get the offender to stop moving the car. James stated he moved towards a large wall to try to get out of the way of the car as it was heading towards him. James stated to his knowledge the other individual (possibly Jesse J) left on foot in an unknown direction.

James stated he did not contact the police to report the incident because he was told someone at 1905 S 59 St was already calling. James stated he proceeded back to his address.

While speaking with James on scene, I was advised to conclude the interview by the acting Sergeant, PO A. Cerqua. I then transported James into WAPD for the booking process. Throughout my entire contact with James, he was verbally and physically cooperative and willing to answer questions about this incident.

END OF SUPPLEMENT REPORT

Reporting Officer(s):	ID Number	ID Number	Pagos:
Iskandarani, Alexander	9965		3 Of 3

West Allis Police Department **Supplementary Report** Incident Report Number Incident Location: Incident Date: 1905 S 59 St; WA, West Allis, WI, 53219 11/30/2014 14-010707 New Incident: New CFS Code -1 : New CF5 Code - 2: Original CFS Code • 1: OTHER NAMES W/M-21 of 2104 W LINCOLN AVE UPP Zepeda, Matthew Alonzo MILWAUKEE, WI, 53215 DOB: 12/28/1992 HT: 600 WT: 184 Hair: Black Eyes: Brown Other Phone: (414) 519-1305 PROPERTY LIST Description/Serial# Seg# Reason Make/Model 14-008662 1.000 1 EVI 2000 Mercury 2000 Mercury Mountaineer \$0.00 Mountaineer 4M2ZU76E6YUJ05454 [Recovered] Reporting Officer(s): Payroll Number: Payroll Number: Report Dat : 12/01/2014 9823 Schneider, Druscilla Payroll Number Copy To: Roviowed by:

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1 Of 1

Corwin, Clint

West Allis Police Department			Supplem	entary Report	
Incident Report Number	Incident Location:			Incident Date:	
14-010707	1905 S 59 St;WA,	West Allis, WI,	NI, 53219 11/30/2014		
New Incident:		Original CFS Code - 1:	New CFS Code -1 :	New CFS Code - 2:	
}		:		ļ	

NARRATIVE

Officer Schneider Reports:

AREA CANVAS

On 12/01/2014 at 0014hrs, I responded to the 5900blk of W. Burnham St to conduct follow up in regards to this incident. Officer A. Cerqua requested I check the area for bullet holes. I checked the following areas for damage:

5832 W Burnham St, Dhillon beer and liquor

5826 W. Burnham St, Rock Star Saloon

5812 W Burnham St

1822 S 59 St

1818 S 589 St

1812 S 59 St

1806 S 59 St

1817 S 58 St, Alley

1825 S 58 St, Alley

I did not locate any damage to these buildings.

FOLLOW UP INVESTIGATION

I responded to 2104 W Lincoln Ave with Officer A. Cerqua, Officer Komorowski, and Officer Otto. We met with Milwaukee Police as they located the vehicle involved in this incident. The vehicle, WI Plate#420-UDH, was parked in front of 2104 W. Lincoln Ave, on the north side of the street. The vehicle had a bullet hole in the top of the hood. Officers attempted to make contact at the residence but where unsuccessful.

N&S arrived on scene and the vehicle was towed to WAPD to be placed on property. I followed the vehicle back to the station and placed it on property.

PHOTOGRAPHS TAKEN

#1: Overview rear of vehicle

#2: Close up of license plate

#3: Overview passenger side of vehicle
#4: Overview of driver's side of vehicle

Reporting Officer(s):			Payroll Number:	Payroll Number:	Report Dat :
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West Allis Police Department

Incident Report Number Incident Location: 14-010707 1905 S 59 St; WA, West Allis, WI, 53219

Continuation
Incident Date: 11/30/2014

#5: Passenger side of vehicle

#6: Front passenger side of vehicle

#7: Front driver's side of vehicle

#8: Overview hood of vehicle

#9: Damage to front passenger side bumper

#10: Dent in front passenger side of vehicle

#11: Overview of bullet hole

#12: Close up of bullet hole

#13: Same as #12

#14: Close up of bullet hole

#15: Close up of VIN

#16: Information sheet

All photos where taken with a Canon Powershot digital camera, memory card 11-4. The memory card was put in an envelope and the envelope was put inside a secure drawer in the property room.

Reporting Officer(s): ID Number ID Number Pages:
Schneider, Druscilla 9823 2 Of 2

West Allis Police Department **Supplementary Report** Incident Report Number Incident Location Incident Date: 14-010707 1905 S 59 St; WA, West Allis, WI, 53219 11/30/2014 New Incident: Original CFS Code - 1: New CFS Code -1: New CFS Code - 2: 1313 PROPERTY LIST Seq# Reason Make/Model Description/Serial# Quan/Value

14-008702
1 EVI Bullet projectile and 1.000
jacketing-recovered from \$0.00
SUV firewall

[Recovered]

6

NARRATIVE

VEHICLE PROCESSING-BULLET TRAJECTORY & EVIDENCE

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Tue 12/02/14, Sgt. Brian Havican:

On this date, I was asked to assist with processing a vehicle which had been shot at, where the striking projectile went through the hood and lodged into a plastic windshield wiper control module on the passenger side. The vehicle shot during this incident was a 2000 Merc Mountaineer, black, WI Reg 420-UDH. The recon was performed inside the WAPD garage.

Detectives Dave Madden, Jason Vanderwerff and Caleb Porter assisted with the reconstruction.

BULLET TRAJECTORY RECONSTRUCTION

Using the WAPD Sirche bullet trajectory reconstruction (BTR) kit, we attempted to reconstruct an approximate angle from where the firearm was discharged. The shooter advised he had been approx. six (6) feet from the SUV when he fired, so we took this into account when setting up the BTR kit. A green laser mounted to a tripod was used, due to the ambient light present in the garage. After setting up the BTR kit, we established the approximate angle for the shooting using metal trajectory rods from the kit (the trajectory rod was inserted through the hood and into the wiper control module, where the projectile had penetrated and was lodged).

I used the WAPD FTSB Canon 6D digital SLR fitted with a Canon 20-35mm wide angle lens for overall views, and a Canon 50mm prime macro lens was used for specific point-of-view angles. A Canon Speedlite 430ex II flash unit was used for some images, as follows:

Reporting Officer(s):			1 '	1 *	Roport Dat.:
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Johnson, Jessica	1868			1 10	f 2