

91



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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2014-0145 Report Held in Committee

Police Department Report involving Benno's Genuine Bar & Grill, 7413 W. Greenfield Ave. (2013-2014 Class B Tavern License no. 857, Dance Hall License no. 859, and Instrumental Music License no. 860 of Weigel's Hillcrest, Inc., Martin J. Weigel, Agent, Incident Date: February 18, 2014).

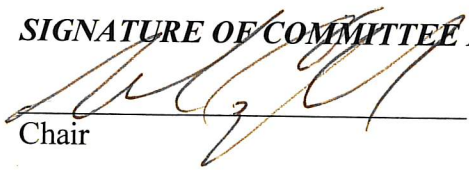
Introduced: 3/18/2014

Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>MAY 06 2014</u>		<input checked="" type="checkbox"/>	Barczak				
			Czaplewski				
			Haass				
			Lajsic				
			May				
			Probst				
			Reinke				
		<input checked="" type="checkbox"/>		Roadt			
			Vitale			<input checked="" type="checkbox"/>	
			Weigel				
			TOTAL	<u>4</u>		<u>1</u>	

SIGNATURE OF COMMITTEE MEMBER


Chair

Vice-Chair

Member

COMMON COUNCIL ACTION place on file

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>5-6-14</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<input checked="" type="checkbox"/>			
			Haass	<input checked="" type="checkbox"/>			
			Lajsic	<input checked="" type="checkbox"/>			
			May	<input checked="" type="checkbox"/>			
			Probst	<input checked="" type="checkbox"/>			
			Reinke	<input checked="" type="checkbox"/>			
			Roadt	<input checked="" type="checkbox"/>			
		<input checked="" type="checkbox"/>	Vitale	<input checked="" type="checkbox"/>			
			Weigel			<input checked="" type="checkbox"/>	
			TOTAL	<u>9</u>	<u>1</u>	<u>1</u>	



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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2014-0145 Report Introduced

Police Department Report involving Benno's Genuine Bar & Grill, 7413 W. Greenfield Ave. (2013-2014 Class B Tavern License no. 857, Dance Hall License no. 859, and Instrumental Music License no. 860 of Weigel's Hillcrest, Inc., Martin J. Weigel, Agent, Incident Date: February 18, 2014).

Introduced: 3/18/2014

Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
_____	_____	_____	Barczak				
_____	_____	_____	Czaplewski				
_____	_____	_____	Lajsic				
_____	_____	_____	May				
_____	_____	_____	Probst				
_____	_____	_____	Reinke				
_____	_____	_____	Roadt				
_____	_____	_____	Sengstock				
_____	_____	_____	Vitale				
_____	_____	_____	Weigel				
			TOTAL	_____	_____	_____	_____

SIGNATURE OF COMMITTEE MEMBER

_____ Chair

_____ Vice-Chair

_____ Member

COMMON COUNCIL ACTION

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
_____	_____	_____	Barczak				
_____	_____	_____	Czaplewski				
_____	_____	_____	Lajsic				
_____	_____	_____	May				
_____	_____	_____	Probst				
_____	_____	_____	Reinke				
_____	_____	_____	Roadt				
_____	_____	_____	Sengstock				
_____	_____	_____	Vitale				
_____	_____	_____	Weigel				
			TOTAL	_____	_____	_____	_____



**City of West Allis
Police Department**

Liquor Establishment Violation

Date: 2/22/2014
To: Lieutenant Jessica Johnson
From: Pto. Timothy Gold

Violation Type

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

Incident #: 14-001436 N/A

Location: 7413 W. Greenfield Ave. N/A

Establishment Name: Benno's Genuine Bar & Grill N/A

Establishment License #: Class B Lic #857 N/A

Establishment Owner: Martin J. Weigel N/A

Owner Address: 7415 W. Greenfield Ave. West Allis, WI 53214 N/A

Violation(s): Battery, Disorderly Conduct N/A

Offender: Cecilia S. Cook N/A

Offender Address: 1420 S. 79 St. West Allis, WI 53214 N/A

Offender: Jorge L. Silva N/A

Offender Address: 843 S. 73 St. West Allis, WI 53214 N/A

Offender: Jeremy D. Oliver N/A

Offender Address: 1440 S. 70 St. West Allis, WI 53214 N/A

Offender: Tyla J. Oliver N/A

Offender Address: 1440 S. 70 St. West Allis, WI 53214 N/A

Additional Offenders listed in Incident Report narrative: Yes No

Reviewed by Commanding Officer: Captain Marks

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

Commanding Officer Signature:

Reviewed by Deputy Chief Robert Fletcher:

Copy forwarded to License and Health Committee: Date:



West Allis Police Department

Incident Report

Date:

02/21/2014

CFS Code-1:

1313

Incident Report Number:

14-001436

Incident:

Simple Assault

Incident Report Number:

14-001436

Between: Date - Time

And/At: Date-Time

2/18/14

02:02

Incident Location:

7413 W Greenfield Ave;WA, West Allis, WI, 53214

CFS Code-1:

1313

CFS Code-2:

2901

CFS Code-3:

90Z4

Offense Code-4:

CFS Code-5:

CFS Code-6:

CFS Code-7:

CFS Code-8:

W

Name (Last, First, Middle)

Weigel, Martin J

DOB:

05/09/1959

Race/Sex

W/M

Address: (Address, City, State, Zip)

7415 W Greenfield Ave, West Allis, WI, 53214

Home Phone Number

(414) 774-0639

Employer

Work Phone Number

Employer Address

7413 W Greenfield Ave, West Allis, WI 53214

Cell Phone Number

(414) 704-6350

B

Name (Last, First, Middle)

Benno's,

DOB:

Race/Sex

Address: (Address, City, State, Zip)

7413 W Greenfield Ave, West Allis, WI, 53214

Home Phone Number

Employer

Work Phone Number

(414) 453-9094

Employer Address

Cell Phone Number

SUMMARY

Officer Gold Reports...Battery/DC...7413 W. Greenfield Ave.

On 02/18/14 at approx. 0202hrs. Officers responded to Benno's for a bar fight which resulted in the arrest of, Cecilia S. Cook F/W 10/06/78, Jorge L. Silva M/H 03/14/91 and Jeremy D. Oliver M/I 09/24/69 for Battery. Tyla J. Oliver F/I 08/20/68 and April M. Soppa F/W 12/23/82 were also arrested for DC. Parties were booked, cited and released.

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

License Number:

State:

Expiration Year:

Vin:

Insurance Company:

Other Vehicle Information:

NCIC#

Reporting Officer(s):

Gold, Timothy

Payroll Number:

9589

Payroll Number:

Report Date:

Time Received:

02:02:39

Time Cleared:

02:35:36

Unit(s) Assigned:

310, 307, 311, 312, 313.

Pages:

1 Of 6

Reviewed by:

Saftig, Brian

Payroll Number

2103

Copy To

West Allis Police Department

Continuation

Incident Report Number 14-001436	Incident Location: 7413 W Greenfield Ave;WA, West Allis, WI, 53214	Incident Date: 02/18/2014
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NAMES

Witness-1

Powell, Justin C W/M-36 of 2183 S 78 St, West Allis,WI,53219
 DOB: 02/03/1978
 Cell Phone:(414) 702-8330 Work Phone:(414) 702-9300

Offender-1

Cook, Cecilia Saccorro W/F-35 of 1420 S 79 St, West Allis,WI,53214
 DOB: 10/06/1978 DL: C200-1177-8866-03
 HT: 504 WT: 190 Hair: Brown
 Eyes: Brown Complexion: Olive
 Cell Phone:(414) 526-9462

Booking#: 14-000794

Case#	Charge	Description	Ct
14-001436	90Z4	Warrant Other Department	1
14-001436	WA-940.19	Battery	1

Offender-2

Silva, Jorge Louis Jr W/M-22 of 843 S 73 St;WA, West Allis,WI,53214
 DOB: 03/14/1991 DL: S410-4329-1094-01
 HT: 506 WT: 165 Hair: Brown
 Eyes: Hazel Complexion: Fair
 Cell Phone:(414) 949-3229 Other Phone:(414) 610-4612

Booking#: 14-000799

Case#	Charge	Description	Ct
14-001436	WA-940.19	Battery	1

Offender-3

Oliver, Jeremy Dean I/M-44 of 1440 S 74 ST;WA, WEST ALLIS,WI,53214
 DOB: 09/24/1969 DL: O416-4246-9344-07
 HT: 511 WT: 225 Hair: Black
 Eyes: Brown Complexion: Light Brown

West Allis Police Department

Continuation

Incident Report Number 14-001436	Incident Location: 7413 W Greenfield Ave;WA, West Allis, WI, 53214	Incident Date: 02/18/2014
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Cell Phone:(414) 940-0966 Cell Phone:(414) 640-0936

Booking#: 14-000797

Case#	Charge	Description	Ct
14-001436	WA-940.19	Battery	1

Offender-4

Oliver, Tyla Jean I/F-45 of 1440 S 74 St, West Allis,WI,53214
 DOB: 08/20/1968
 HT: 507 WT: 185 Hair: Black
 Eyes: Brown Complexion: Olive
 Cell Phone:(414) 940-0074 Work Phone:(414) 847-7400

Booking#: 14-000795

Case#	Charge	Description	Ct
14-001436	WA-947.01(1)	Disorderly Conduct Battery	1

Offender-5

Soppa, April Michelle W/F-31 of 1534 W Edgerton Ave, Milwaukee,WI,53221
 DOB: 12/23/1982 DL: S100-0138-2963-01
 HT: 502 WT: 150 Hair: Blonde or Strawberry
 Eyes: Blue Complexion: Fair
 Cell Phone:(414) 403-7248

Booking#: 14-000796

Case#	Charge	Description	Ct
14-001436	WA-947.01	Disorderly Conduct	1

Witness-2

Lee, Nathan T W/M-34 of 6501 W Greenfield Ave,409;
 WA
 West Allis,WI,53214
 DOB: 04/02/1979 DL: L000-6387-9122-08
 Home Phone:(414) 241-1862

West Allis Police Department

Continuation

Incident Report Number 14-001436	Incident Location: 7413 W Greenfield Ave;WA, West Allis, WI, 53214	Incident Date: 02/18/2014
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NARRATIVE**INITIAL RESPONSE**

On 02/18/14 at approx. 0202hrs. Officers responded to Benno's, 7413 W. Greenfield Ave., for a bar fight involving five people fighting with one possibly armed with a bottle. On arrival Officers located Cecilia S. Cook F/W 10/06/78, April M. Soppa F/W 12/23/82 and Jorge L. Silva M/H 03/14/91 in the rear parking lot. All three parties were highly intoxicated, belligerent with Officers and Jorge was noticeably bleeding from the mouth.

Upon entering the tavern from the rear door, I noticed broken glass all over the floor on the south side of the bar and a damaged bar table (Base came loose from the table top) lying on the ground. Officers also located the intoxicated Tyla J. Oliver F/I and Jeremy D. Oliver M/I 09/24/69 still sitting at the bar. Jeremy's nose was bleeding profusely and there was blood all over his t-shirt.

INITIAL STATEMENT OF JEREMY D. OLIVER

Jeremy stated this evening he was at the tavern with his wife, Tyla J. Oliver F/I 08/20/68 and they were sitting on the south side of the bar. Jeremy stated while they were both drinking and at one point two females (Cecilia and April) and one male party (Jorge) entered the tavern. Jeremy stated once they entered and began drinking they all became extremely obnoxious and disrespectful to the bartender and other patrons. Jeremy advised their behavior consisted of talking loudly, yelling and both females acting racy. Jeremy described the racy behavior as the two females flashing their breasts and also "sucking on each others breasts."

Jeremy stated once the two females began acting racy, Tyla complained to the bartender about their disrespectful behavior. Jeremy advised when Tyla complained, the two females overheard her and began arguing with her. While the three females were arguing back and forth across the bar, the male party began instigating problems between everyone.

Jeremy stated at one point the two females and male began approaching Tyla and Jeremy intervened as he believed they were going to attack her. Jeremy stated he did swing at the male party which resulted in the two fighting, wrestling and rolling around on the ground inside the tavern. Jeremy was unable to provide how many punches he threw and how the bottles were broken. Jeremy denied arming himself with a bottle even though I told him witnesses said he hit the male party over the head with two bottles.

After speaking with Jeremy, he was taken into custody and conveyed to the WAPD.

Reporting Officer(s): Gold, Timothy	ID Number 9589	ID Number	Pages: 4 Of 6
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West Allis Police Department

Continuation

Incident Report Number
14-001436Incident Location:
7413 W Greenfield Ave;WA, West Allis, WI, 53214Incident Date:
02/18/2014MEDICAL TREATMENT #1

WAFD responded to assess Jeremy's injuries, however after cleaning him up, he refused any further medical treatment.

ARREST OF APRIL M. SOPPA

After Jeremy was taken into custody, I returned to the rear parking lot and made contact with April. I advised April that she was under arrest for disorderly conduct and she was placed in handcuffs. Since Officer Schweitzer was going to transport her to the station, Corporal McNally and I remained with her until he returned with his squad car. Prior to Officer Schweitzer returning, April was arguing with Corporal McNally and I about why she was arrested. April additionally refused to stand near the rear of the squad car and began pushing her body away from the vehicle. Since April refused to follow directions and was pushing her body away from the squad car, Corporal McNally and I directed her to the ground where she remained until Officer Schweitzer arrived. When Officer Schweitzer arrived, April was secured in the rear of his squad without incident.

BOOKING

Cecilia S. Cook - Booking Sheet #14-000794 - Municipal Citation #M14-0007942 for Battery

Tyla J. Oliver - Booking Sheet #14-000795 - Municipal Citation #M14-0007951 for Disorderly Conduct

April M. Soppa - Booking Sheet #14-000796 - Municipal Citation #M14-0007961 for Disorderly Conduct

Jeremy D. Oliver - Booking Sheet #14-000797 - Municipal Citation #M14-0007971 for Battery

Jorge L. Silva - Booking Sheet #14-000799 - Municipal Citation #M14-0007991 for Battery

BOOKING ROOM BEHAVIOR

While in the booking room, April and Cecilia were belligerent, argumentative and uncooperative with Officers. As a result April was placed in cell #8 while Officers booked the other offenders. While in cell #8, April was kicking/hitting the cell door the entire time.

When Cecilia's booking process was completed and she was free to leave, she demanded a ride home. When Officers told Cecilia that she would have to make her own arrangements for a ride, she began yelling, swearing and threatening

Reporting Officer(s):
Gold, TimothyID Number
9589

ID Number

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West Allis Police Department

Continuation

Incident Report Number 14-001436	Incident Location: 7413 W Greenfield Ave;WA, West Allis, WI, 53214	Incident Date: 02/18/2014
<p>Officers. As a result, Cecilia was placed in cell #4 in order for her to calm down to the point where Officers could release her without further problems.</p> <p><u>MEDICAL TREATMENT #2</u></p> <p>While booking Jeremy, he began complaining of lung pain and entire body pain. As a result, WAFD responded and at Jeremy's request, he was conveyed to Aurora West Allis Medical Center for treatment.</p> <p><u>STATEMENT OF JEREMY D. OLIVER</u></p> <p>Once at the hospital and while in ER Room #4 at 0408hrs, I read Jeremy his Miranda warnings as they appear in WAPD Directive 42.016. Jeremy stated he understood his rights and did not wish to answer questions concerning his arrest. The interview was recorded using a WAPD Olympus Digital Voice Recorder #P14. The interview was stored on WAPD Memory Card P14 #2.</p> <p>The interview ended at 0409hrs. and I placed the memory card in an envelope and secured it in the ID Bureau drawer.</p> <p><u>CASE DISPOSITION</u></p> <p>All parties were booked, cited and released. A Tavern Report and MORA Report were also completed.</p>		
Reporting Officer(s): Gold, Timothy	ID Number 9589	ID Number Pages: 6 Of 6

West Allis Police Department

Supplementary Report

Incident Report Number 14-001436	Incident Location: 7413 W Greenfield Ave;WA, West Allis, WI, 53214	Incident Date: 02/18/2014
New Incident:	Original CFS Code - 1:	New CFS Code - 1: New CFS Code - 2:

NARRATIVE

Officer Fletcher reports...

INITIAL CALL

On 02/18/14 at approx. 0202hrs., officer responded to Benno's, 7413 W. Greenfield Ave. for a report of five individuals fighting inside of the bar. After arriving on scene, I made contact with tavern owner Martin J. Weigel M/W 05/09/59 and spoke with him regarding this incident.

WITNESS STATEMENT - MARTIN J. WEIGEL

Weigel advised he is the owner of Benno's, and resides in the upper residence above the tavern. Weigel stated he was sleeping in his bedroom upstairs when the incident began. At approx. 0158hrs., Weigel was awoken by a loud commotion coming from the bar area downstairs. Weigel then walked downstairs and observed 4-5 parties physically fighting at the south end of the bar, outside of the restrooms.

Weigel advised there were three females, and two males involved in the fight, and that the bartender was restraining one of the parties. Weigel advised two of the parties involved were Jeremy D. Oliver M/I 09/24/69 and Tyla J. Oliver F/I 08/20/68, whom he recognized as a frequent customers. Weigel described the other male party involved as a "skinnier" W/M who had blood on his face. Weigel was unable to provide any further description for any of the parties involved, and stated that the whole incident "just happened so fast."

After Weigel observed the parties fighting, he observed Jeremy and Tyla attempting to calm the other three parties down. Weigel stated the parties refused to calm down and continued to scream at Jeremy and Tyla. After Weigel observed that the argument was not calming down, he called 911 from the bar. Weigel described the physical fighting as "wrestling," and advised he did not remember observing anyone get hit with a bottle. Shortly after Weigel called 911, he observed the W/M and two females that were involved walk out of the rear door of the tavern as officers arrived.

WITNESS STATEMENT - DONALD R. KOSIBOSKI

While inside of the tavern, I also spoke with Donald R. Kosiboski, who witnessed the altercation inside of the bar. Donald advised he was at the tavern since 2300hrs. and was seated at the south end of the bar when the incident occurred. Donald stated Jeremy and Tyla entered the tavern at

Reporting Officer(s): Fletcher, Jesse	Payroll Number: 9963	Payroll Number:	Report Date: 02/18/2014
Reviewed by: Saftiq, Brian	Payroll Number: 2103	Copy To:	1 Of 2

West Allis Police Department

Continuation

Incident Report Number 14-001436	Incident Location: 7413 W Greenfield Ave;WA, West Allis, WI, 53214	Incident Date: 02/18/2014
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approx. 2330hrs., and were seated next to him at the south end of the bar. At approx. 0100hrs., Donald advised a M/W and two F/H's entered the tavern and sat approx. half way down the bar. Donald stated he did not know who these parties were, but that they were extremely intoxicated.

Donald stated there was no problems between Jeremy, Tyla, or the other three parties for approx. the next hour. Donald advised the two females that entered the bar with the M/W were acting belligerent, and were exposing themselves to other patrons inside of the bar. Other than the three parties being highly intoxicated, Donald advised they did not cause any problems up until the altercation. At approx. 0200hrs., Donald advised the two females and M/W got up to leave the bar. Before leaving the bar, the M/W walked towards Donald, Jeremy, and Tyla at the south end of the bar. Donald could not describe what happened next, other than "they just started going at it." Within approx. five seconds, Donald advised Jeremy and the M/W began physically fighting and eventually wrestled each other down to the ground. Donald advised Tyla and the other two females also began fighting.

After the fight began, Donald advised he stepped out of the way because he did not want to get involved. The parties continued to physically fight on the ground for approx. two minutes. Donald could not remember if any of the parties struck one another during the altercation, and stated the whole incident just "happened so fast." However, Donald advised he remembered seeing the M/W swing a beer bottle at Jeremy's head. Donald was unsure if Jeremy was struck by the bottle. After approx. two minutes, the M/W and two females separated from Jeremy and Tyla and walked out of the rear door of the tavern. Officers arrived on scene shortly after.

OFFICER OBSERVATIONS

While on scene, Officer Said and I observed the surveillance footage of the altercation. While watching the footage, I observed the M/W, later identified as Jorge L. Silva M/H 03/14/91 confront Jeremy at the end of the bar. Approx. five seconds after the Jorge approached Jeremy, Jeremy appeared to strike Jorge in the face with a beer bottle. Jeremy and Jorge then began physically fighting on the ground. I also observed that Donald had his back to Jorge and Jeremy when the incident began, making it impossible for him to see who was struck with the beer bottle.

TRANSPORT OF JEREMY D. OLIVER

Based on the on-scene investigation, Jeremy was placed under arrest for battery. I placed Jeremy in handcuffs and transported him back to the WAPD for booking. Jeremy was turned over to Officer Molthen for booking.

END OF SUPPLEMENT

Reporting Officer(s): Fletcher, Jesse	ID Number 9963	ID Number	Pages: 2 Of 2
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West Allis Police Department

Supplementary Report

Incident Report Number 14-001436	Incident Location: 7413 W Greenfield Ave;WA, West Allis, WI, 53214	Incident Date: 02/18/2014
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

NAMES

Witness

Powell, Justin C W/M-36 of 2183 S 78 St, West Allis,WI,53219
 DOB: 02/03/1978
 Cell Phone:(414) 702-8330 Work Phone:(414) 702-9300

NARRATIVE

Officer Said reports...

INITIAL OBSERVATIONS

On 2/18/14 at approximately 0202 hrs, Squad 321 responded to the tavern Benno's, 7413 W Greenfield Ave for a report of a fight involving a male with a beer bottle. Upon arrival I entered the tavern and inside the main room (where the bar was located) I observed a table broken and thrown to the ground, broken pieces of a Spotted Cow beer bottle near the bathrooms and a male in a white long sleeve t-shirt with multiple spots of blood on it. I also observed a male black in a grey sweat shirt with blood on his hands, who was later identified as Justin C. Powell, asking if he could enter the bathroom and clean his hands. I allowed Powell to wash his hands and began questioning him concerning what he observed of the incident.

ON SCENE WITNESS STATEMENTS - JUSTIN C. POWELL (M/B, 2/3/78)

Justin C. Powell stated he came to the tavern at approximately 10 pm, 2/17/14 and was seated at the bar when he met a male and female couple who claimed to be Native Americans (later identified and further referred to as: Jeremy D. Oliver m/I, 9-24-69; and Tyla J. Oliver f/I 8-20-68). Powell said another group of three individuals, two females and a male (later identified as and further referred to as: Jorge L. Silva Jr. m/w, 3-14-91; Cecilia S. Cook f/w, 10-6-78; and April M. Soppa f/w, 12-23-82) came into the bar and sat further down the bar. Powell observed everyone interacting and talking back and forth for sometime and Powell said there was not any indication that they would fight.

Powell stated at some point Soppa and Cook began complaining that they did not like the way Tyla was looking at them. Soppa and Cook began telling the Tyla to stop looking at them like that and Silva began to tell Tyla to

Reporting Officer(s): Said, Sharif	Payroll Number: 9871	Payroll Number:	Report Date: 02/18/2014
Reviewed by: Marks, Christopher	Payroll Number: 9075	Copy To:	1 Of 3

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Continuation

Incident Report Number 14-001436	Incident Location: 7413 W Greenfield Ave;WA, West Allis, WI, 53214	Incident Date: 02/18/2014
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stop.

Powell observed Silva walk to where Jeremy was seated at the bar and Powell said he was looking the other way when they began to fight. Powell turned around and found the two were wrestling on the ground. Powell stated shortly after he observed all the females, Tyla, Cook and Soppa also fighting on the ground. Powell began assisting in pulling apart all those interacting in the fight until police arrival.

Powell did not have any signs of injury or any signs that led me to believe he was involved in a physical altercation. Powell did have a small amount of blood on his hands, which was consistent with his statements about pulling the individuals involved apart from each other.

VIDEO

While on scene I observed video from the tavern surveillance system. The following is a synopsis of the video's recording involving the incident being investigated:

The video showed the section of the bar where Cook, Soppa and Silva were all seated. During the video all three are seen speaking in the direction where Jeremy and Tyla were both seated in an aggressive manner, pointing and appearing to be yelling (the portion of the room where Jeremy and Tyla were seated is not visible from the camera's angle). The bartender then comes around the bar and appears to be presenting the bills to Cook, Soppa and Silva and appears to be asking them to leave and act as a buffer between the two groups(the two groups being: Silva, Cook and Soppa as one group; Jeremy and Tyla, the second). Powell is also visible and appears to be seated next to Soppa, though he does not appear involved in the yelling.

After Cook, Soppa and Silva all appear to have signed their bills, Silva grabs his jacket and walks in the direction of where Jeremy and Tyla were seated. He continues to speak in this direction. While Silva is standing close to the Women's bathroom near the end of the bar where Jeremy and Tyla were seated, it can be seen that Jeremy comes into the view of the camera, appearing to swing a beer bottle at the head of Silva. It appears that liquid comes forth from the bottle, but I was not able to discern if the bottle broke during this action.

Directly after the bottle is thrown / swung at Silva both Silva and Jeremy begin to grab each other and quickly move out of the view of the camera. Shortly after they leave view of the camera both Cook and Soppa both rush to same portion of the bar room, out of the view of the camera. All parties are out of view for sometime and it is visible on the video that Powell is attempting to pull individuals away from this portion of the room.

Reporting Officer(s): Said, Sharif	ID Number 9871	ID Number	Pages: 2 Of 3
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Incident Report Number

14-001436

Incident Location:

7413 W Greenfield Ave;WA, West Allis, WI, 53214

Incident Date:

02/18/2014

Silva then comes back into the view of the camera near the women's bathroom and Cook is visible kicking something that is on the ground. Silva, Cook and Soppa all leave the bar and police arrive shortly after.

PROPERTY

I took into my custody the a hard drive turned over to me by the bar owner, Martin J. Weigel. Weigel stated the video was logged one hour ahead of actual time. I placed this hard drive on property under property #14-001436:

1- (1) One Seagate hard drive, serial # 9QF98HW6 containing video of the altercation at or around 0202 hrs, 2/18/14.

I secured this item in the WAPD Evidence room locker # 14.

Reporting Officer(s):

Said, Sharif

ID Number

9871

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West Allis Police Department

Supplementary Report

Incident Report Number 14-001436	Incident Location: 7413 W Greenfield Ave;WA, West Allis, WI, 53214	Incident Date: 02/18/2014
New Incident	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

Officer Schweitzer reports...

CALL FOR SERVICE

On 02/18/14 at approximately 0202 hrs, I responded to Bennos Tavern, 7413 W Greenfield Ave, for a report of an active fight between multiple parties. Upon officers arrival, there was no longer an active fight and officers made contact with parties outside of the bar in the alley and inside of Bennos.

PHOTOGRAPHS

Upon my arrival, I documented the scene by taking the following photographs.

1. Photograph of injuries to Jeremy D Oliver face.
2. Photograph of injuries to Jeremy's left hand.
3. Photograph of injuries to Jeremy's right hand.
4. Photograph of blood on Jeremy's shirt.
5. Photograph of injuries to Tyla J Oliver's face/lip.
6. Photograph of injuries to Tyla's left hand/pinkie finger.
7. Photograph of injuries to Tyla's left hand/thumb.
8. Photograph of injuries to Louis J Silva face/lip.
9. Photograph of damage to table inside of Bennos.
10. Photograph of damage to table inside of Bennos.
11. Photograph of broken beer bottle.
12. Photograph of Bennos address, 7413 W Greenfield Ave.
13. Photograph data sheet.

Digital media card S3 was turned into the media card drawer.

CONVEYANCE OF APRIL

I conveyed April to the West Allis Police Department for the booking process.

BOOKING

April was booked with WAPD Booking # 14-000796 for Disorderly Conduct. April was issued Municipal Citation # M140007961 for Disorderly Conduct. A local court date of 03/24/14 has been set. Appropriate paperwork was turned over to Officer Gold.

During the booking process, April became very uncooperative and was placed in cell 8. While in cell 8, April began kicking and punching the cell door.

Reporting Officer(s): Schweitzer, Adam	Payroll Number: 9905	Report Date: 02/18/2014
Reviewed by: Saftiq, Brian	Payroll Number: 2103	Copy To: 1 Of 1

West Allis Police Department

Supplementary Report

Incident Report Number 14-001436	Incident Location: 7413 W Greenfield Ave;WA, West Allis, WI, 53214	Incident Date: 02/18/2014
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

Cpl. McNally reports...

ARRIVAL

On 02-18-14 at 0202 hrs, I responded to Bennos Tavern, 7413 W. Greenfield Ave, regarding a fight inside the tavern. On arrival, I made contact with April M. Soppa who provided the following statement.

STATEMENT - APRIL M. SOPPA (offender)

Soppa stated there was a Hispanic female inside the tavern that was "talking shit" to her all night long. Initially Soppa stated the argument was only verbal and that she was not punched or kicked by anyone. She later changed her story, claiming that the Hispanic female punched her in her face once. Soppa then admitted that she attacked the female and punched her several times. I did not observe any injuries to Soppa's face. Soppa indicated that several people began fighting at that point, primarily her cousin, Jorge L. Silva, and a Hispanic male, later identified as Jeremy D. Oliver. Soppa wasn't sure if others were involved with the fight or trying to prevent the two males from fighting.

While speaking with Soppa, I detected a strong odor of ingested alcohol emitting from her breath. Her eyes were glassy and bloodshot. Her speech was slurred. It appeared to me that Soppa was highly intoxicated. Her story changed on scene and Soppa could not provide specific details about the incident.

Reporting Officer(s): McNally, Ryan	Payroll Number: 9439	Payroll Number:	Report Date: 02/18/2014
Reviewed by: Saftiq, Brian	Payroll Number: 2103	Copy To:	1 Of 1

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Supplementary Report

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NAMES

Contact

Lee, Nathan T W/M-34 of 6501 W Greenfield Ave,409;
 WA
 West Allis,WI,53214
 DOB: 04/02/1979 DL: L000-6387-9122-08
 Home Phone:(414) 241-1862

NARRATIVE

Officer Carlson reports...

INITIAL CALL

On 02/18/14, at approximately 0202 hrs., Officers responded to Benno's, located at 7413 W. Greenfield Ave. for a report of a physical fight.

CONTACT WITH NATHAN T. LEE

Upon arrival, I made contact with employee, Nathan T. Lee, M/W, 04/02/79, who was the bartender on duty during the incident. Lee stated three individuals later identified as April M. Soppa, F/W, 12/23/82, Cecilia S. Cook, F/W, 10/06/78, and Jorge L. Silva, M/W, 03/14/91, walked into the bar at approximately 0100 hrs. Lee called "Last Call" and Cook, Soppa, and Silva ordered more beverages. Lee did not serve them because he felt they had too much to drink. Lee stated Cook and Soppa were also acting inappropriately and he was attempting to get them as well as Silva to leave.

Lee stated he overheard Soppa "mouthing off" at Jeremy D. Oliver, M/I, 09/24/69. Silva then proceeded to say "racial slurs" towards Oliver. Lee overheard either Silva or Oliver state, "Let's take this outside". Lee observed Silva and Oliver move towards each other and fall into a bar table; landing on the ground. Lee stated the altercation lasted approximately 5-10 minutes. Lee was unable to determine who started the fight. Lee stated he believed he then saw Cook kick Oliver in the head.

Lee did not see the individual who picked up the beer bottle and hit Oliver in the head. Lee stated he attempted to break up the fight but was unable to. Lee observed Cook, Silva and Soppa exit the rear of the bar before Officers

arrived.

Reporting Officer(s): Carlson, Lete	Payroll Number: 9970	Payroll Number:	Report Date: 02/18/2014
Reviewed by: Saftiq, Brian	Payroll Number: 2103	Copy To:	1 of 1

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NARRATIVE

Officer Otto reports:

INITIAL RESPONSE

On 2/18/14, at approx. 0202hrs, Officers responded to Benno's Tavern, 7413 W. Greenfield Ave. for the report of approx. 5 people fighting. Upon arrival, I pulled into the alley and observed 2 females walking to a vehicle, WI-Reg: 634-UDH, that was already occupied by Jorge L. Silva Jr. As I activated my emergency lights, Jorge L. Silva Jr. (m/w, 3/14/91) stepped out of the vehicle.

STATEMENT BY JORGE L. SILVA JR.-OFFENDER

Jorge L. Silva Jr., (m/w, 3/14/91) had exited the vehicle and approached me. As he was walking towards me, I observed a large amount of blood coming from his mouth and his upper lip appeared to be cut.

Jorge provided me with a WI-ID card for his identification. Jorge stated that he was in Benno's bar with his cousin and her friend. Jorge decided to go to the bathroom and as he exited the bathroom, he observed his cousin and her friend on the ground being assaulted by 2 males. Jorge decided to step in and attempt to break the fight up. As Jorge attempted to break up the altercation, he was hit in the mouth with a beer bottle by a male Indian with long hair and dark clothing on. The bottle shattered after it made contact with his face. After being struck in the face, Jorge continued to try and break up the fight. Seconds later, he was struck in the back of the head with another beer bottle. This bottle however, did not break.

I asked Jorge if there were any problems throughout the night between him and the person that hit him in the face with the bottle and he stated, "no." Jorge said that he, his cousin, and her friend were out just having a good time. Jorge does not know what started the fight and did not think that there were any problems between anyone in the bar. Jorge thought the person that hit him was jealous of how much money they were spending.

At no time was Jorge involved in a fight or physical altercation. He did not get into a fight with anyone and was merely trying to break it up.

Jorge described the pain in his head and mouth as a 7 out of 10. Based on Jorge's injury, he was transported to Aurora West Allis Medical Center for treatment.

Reporting Officer(s): Otto, Michael A.	Payroll Number: 9829	Payroll Number:	Report Dat : 02/18/2014
Reviewed by: Saftiq, Brian	Payroll Number 2103	Copy To:	1 Of 2

Incident Report Number

14-001436

Incident Location:

7413 W Greenfield Ave;WA, West Allis, WI, 53214

Incident Date:

02/18/2014

While speaking with Jorge, I detected a strong odor of intoxicants emitting from breath and his eyes were glassy. Based on my training and experience I believed that Jorge was under the influence of an intoxicant.

LACK OF CONSENT

At no time did Jorge give anyone permission to strike him in the face or head with a beer bottle.

INJURIES

Jorge received 11 stitches to his lip and a CT scan provided negative results.

BOOKING PROCESS

After being released from the hospital, Jorge was transported to the WAPD for the booking process. Jorge was booked under booking #: 14-000799 for battery. Jorge was issued municipal citation #: M140007991 and given a local court date of 3/24/14 at 0830hrs at the West Allis Municipal Court.

MIRANDIZED INTERVIEW

On 2/18/14 at approx. 0518hrs, while in Interview Room A of the West Allis Police Department, I read Jorge his Miranda Warnings off Department Directive 42.016. Jorge declined to speak with me regarding this incident. This was audio recorded on an Olympus DS-2200 Digital Voice Recorder and saved on a departmental media card (P14-2) and stored in the Technical and Forensics Bureau.

CONTACT WITH PROBATION/PAROLE

On 2/18/14, at approx. 0528hrs, I contacted Kathleen Schlieve and left a voicemail regarding this incident.

End of Supplemental Report.

Reporting Officer(s):

Otto, Michael A.

ID Number

9829

ID Number

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West Allis Police Department

Supplementary Report

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NARRATIVE

Officer S. Martin reports:

CUSTODIAL INTERVIEW OF APRIL M. SOPPA

On 02/18/14 at approx. 0432hrs, I attempted to interview April M. Soppa, F/W 12/23/82, in the West Allis Police Department Booking Room. Using Olympus Digital Recorded P14, and media card P14-2, I read Soppa her rights as they are written on the Interviewing Adults Directive. Soppa stated she understood her rights and refused to answer questions.

The interview concluded at 0433hrs. I placed media card P14-2 into a blue media card envelope and placed it in the locked drawer within the FTSB.

Reporting Officer(s): Martin, Steven	Payroll Number: 9895	Payroll Number:	Report Date: 02/18/2014
Reviewed by: Saftiq, Brian	Payroll Number: 2103	Copy To:	1 Of 1

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Supplementary Report

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OTHER NAMES

Weigel, Martin J W/M-54 of 7415 W Greenfield Ave
 West Allis, WI, 53214
 DOB: 05/09/1959
 HT: 511 WT: 210 Hair: Brown
 Eyes: Hazel
 Home Phone: (414) 774-0639 Cell Phone: (414) 704-6350

 West Allis Police Department

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
14-001178				
1	EVI	Seagate	(1) One Seagate hardrive Serial # ST3250820AV, containing video of altercation occurred at 0202hrs, 2/18/14	1.000 \$50.00 [Recovered]
ST3250820AV				

Reporting Officer(s): Said, Sharif	Payroll Number: 9871	Payroll Number:	Report Dat : 02/18/2014
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West Allis Police Department

Supplementary Report

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NAMES

Contact

Oliver, Tyla Jean I/F-45 of 1440 S 74 St, West Allis,WI,53214
 DOB: 08/20/1968
 HT: 507 WT: 185 Hair: Black
 Eyes: Brown Complexion: Olive
 Cell Phone:(414) 940-0074 Work Phone:(414) 847-7400

Booking#: 14-000795

Case#	Charge	Description	Ct
14-001436	WA-947.01(1)	Disorderly Conduct Battery	1

NARRATIVE

CASE INFORMATION

On 02/18/14 at approx. 0202hrs. officers responded to 7413 W. Greenfield Ave, Benno's Tavern, for a fight involving approx. 5 people. Upon arrival other officers were already on scene and I spoke with a female inside the bar identified as Tyla J. Oliver F/I 08/20/68.

STATEMENT OF TYLA OLIVER

Tyla had blood on her face and arms and stated she believed she broke her thumb. I offered Tyla medical attention and she refused. According to Tyla, she came into Benno's with her husband Jeremy D. Oliver M/I 09/24/69 at approx. 0000hrs. After being at the bar for a half hour, a guy with two girls came into the bar.

While sitting at the bar, the two girls began to fondle themselves and show off their breasts. Tyla told the bartender she didn't want to see that. The blonde female then approached Tyla and said "Fuck you bitch if you are offended."

After being confronted by the blonde female, the male walked up to Jeremy and started saying he was going to kick Jeremy's ass. The male, Jorge Luis Silva M/W 03/14/91, struck Jeremy and they started fighting. While they were

Reporting Officer(s): Stuettgen, Ryan	Payroll Number: 9966	Payroll Number:	Report Dat : 02/18/2014
Reviewed by: Saftiq, Brian	Payroll Number 2103	Copy To:	1 Of 3

West Allis Police Department

Continuation

Incident Report Number 14-001436	Incident Location: 7413 W Greenfield Ave;WA, West Allis, WI, 53214	Incident Date: 02/18/2014
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fighting, the females also jumped in and struck Jeremy. One of the females then turned and struck Tyla in the face and they started fighting on the ground. Tyla stated she was punched and kicked in a body and face. She also threw punches to defend herself.

During the fight, the owner of Benno's walked in and Tyla told him to call the police. The fight then broke up Jorge and the two females left out the back door.

ARREST OF TYLA

After speaking with other officers, Tyla was involved in the fight and was arrested for disorderly conduct. PO Carlson conveyed Tyla back to the WAPD. At the WAPD Tyla was booked and given municipal citation M140007951 for disorderly conduct.

MIRANDA INTERVIEW

I escorted Tyla to booking interview room A where I activated WAPD digital recorder using memory card 18-2. I read Tyla her Miranda Warning as it appears in WAPD Dir. 42.016. After reading and understanding these rights, Tyla agreed to speak with me. The following is a synopsis of my interview with Tyla:

While under Miranda Tyla stated her and her husband Jeremy arrived at Benno's at approx. 0015hrs. and were there for approx. a half hour before a male and two females came into the bar. They were noticeably intoxicated prior to being served at Bennos. As the two women sat at the bar, they began fondling themselves and showing their breasts. Tyla didn't like this and told the bartender.

A short time later Tyla was confronted by the blonde female who told her "Fuck you bitch if you are offended." While the blonde female confronted Tyla, the male confronted Jeremy and started fighting with him. Both females also jumped in to fight with Jeremy and Tyla attempted to pull the females off of Jeremy. One of the females turned around and struck Tyla in the face and they were fighting on the ground. During the fight, Tyla was punched in the face and body as well as kicked in the body.

After completing the interview, I secured memory card 18-2 and later placed it into the FTSB drawer.

After completing the booking and interview, Tyla was released.

ID OF OTHER OFFENDERS

Reporting Officer(s): Stuettgen, Ryan	ID Number 9966	ID Number	Pages: 2 Of 3
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West Allis Police Department

Continuation

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Other officers identified the male and two females on scene as Jorge L. Silva M/W 03/14/91, Cecilia Saccorro Cook F/W 10/06/78, and April M. Soppa F/W 12/23/82. Soppa was identified as the blonde female involved in the altercation. For further information see other officers reports.

No further information available from this officer.

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Stuettgen, Ryan

ID Number
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ID Number

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NAMES

Offender

Cook, Cecilia Saccorro W/F-35 of 1420 S 79 St, West Allis, WI, 53214
 DOB: 10/06/1978 DL: C200-1177-8866-03
 HT: 504 WT: 190 Hair: Brown
 Eyes: Brown Complexion: Olive
 Cell Phone: (414) 526-9462

Booking#: 14-000794

Case#	Charge	Description	Ct
14-001436	90Z4	Warrant Other Department	1
14-001436	WA-940.19	Battery	1

NARRATIVE

Officer L. Binter reports:

CALL FOR POLICE

On 02/18/14 at approx. 0202 hours, officers responded to Benno's (7413 W. Greenfield Ave.) regarding a bar fight which may involve up to 5 subjects with one subject possibly armed with a bottle. Upon arrival, officers advised there was no active fight and I went to the rear of the tavern. I made contact with Cecilia Saccorro Cook (F/W, DOB 10/06/78) who was seated inside of a vehicle.

ON-SCENE STATEMENT-CECILIA COOK SACCORRO-OFFENDER

Cecilia stated she went to the tavern with her sister, April M. Soppa (F/W, DOB 12/23/82), and her boyfriend, Jorge L. Silva (M/H, DOB 03/14/91), and started drinking. Cecilia stated a verbal argument started between Jorge and another male, later identified as Jeremy D. Oliver (M/I, DOB 09/24/69), over 'numerous reasons'. Cecilia refused to comment on what specially the 'argument' was over although in her opinion Jeremy was 'over aggressive'.

Cecilia stated the argument culminated in a physical altercation between Jeremy and Jorge. Jorge 'stepped in' to defend April due to the fact

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Reviewed by: Saftiq, Brian	Payroll Number: 2103	Copy To:	1 Of 2

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Continuation

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two exchanged words before Jeremy started to punch Jorge numerous times in the face and body. Cecilia stated she ran over and attempted to separate the two parties although she was unsuccessful. Eventually the fight stopped and they walked outside.

ARREST DECISION

Officers reviewed the tavern's closed circuit television system and it revealed Cecilia kicked Jeremy in the face while he was lying on the ground fighting with Jorge. Based on the fact Cecilia kicked Jeremy while he was laying on the floor causing further injury, she was placed under arrest for Battery and transported back to the West Allis Police Department for booking.

BOOKING/MIRANDIZED INTERVIEW

Cecilia was photographed and fingerprinted under phoenix booking number 14-00794.

On 02/18/14 while in Interview Room B of the West Allis Police Department, I read Cecilia her Miranda Warnings off Department Directive 42.016. Cecilia Declined to speak with me regarding this incident. This was audio recorded on an Olympus DS-2200 Digital Voice Recorder and saved on a departmental media card and stored in the Technical and Forensics Bureau.

Cecilia was issued Municipal Court Citation (M140007942) for Battery with a local court date of 03/24/14 at 0830 hours.

END OF SUPPLEMENTAL

Reporting Officer(s):
Binter, LucasID Number
9821

ID Number

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OTHER NAMES

Benno's of 7413 W Greenfield Ave
West Allis, WI, 53214
Work Phone: (414) 453-9094

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
14-001315				
1	DAM		Damaged Bar Table	1.000 \$50.00

Reporting Officer(s): Gold, Timothy	Payroll Number: 9589	Payroll Number:	Report Date: 02/24/2014
Reviewed by: Saftiq, Brian	Payroll Number: 2103	Copy To:	1 Of 1