



**DEPARTMENT OF POLICE**

**Dean Puschnig**  
*Chief of Police*

414/302-8000  
414/302-8099 (Fax)  
TTY 414/302-8000 (Hit Space Bar)

Police Department  
11301 West Lincoln Avenue  
West Allis, Wisconsin 53227

[www.ci.west-allis.wi.us](http://www.ci.west-allis.wi.us)

Date: September 4, 2008

Mayor Dan Devine

**License and Health Committee:**

Alderson Michael Czaplewski (Chair)  
Alderson James Sengstock (Vice-Chair)  
Alderson Gary Barczak  
Alderson Daniel Roadt  
Alderson Martin Weigel  
Assistant City Attorney Jenna Merten

The following is a synopsis of reported incidents involving licensed businesses, including reported tavern violations and calls for police service for the month of August 2008

Police report incidents involving licensed businesses:

**Tavern reports:**

**Case # 08-010902...July 21, 2008...Mario's, 1900 So. 60<sup>th</sup> St... 0157 Hrs.**

Officers observed an altercation outside of Mario's. Investigation revealed that two patrons had gotten into a minor physical altercation inside of the bar. One patron who was extremely intoxicated fell down some stairs leading out of the bar causing a large abrasion to his forehead area. The patron refused medical attention.

**Case # 08-011648...August 2, 2008...Mario's, 1900 So. 60<sup>th</sup> St... 0138 Hrs.**

While on routine patrol, an officer was flagged down by a female patron who related that she was assaulted inside of Mario's. The patron related she was in the bar that was extremely crowded and had her toe stepped on by another patron. When she confronted the patron who stepped on her toe, the patron punched her in the face with a closed fist, causing swelling in her right eye area. The female patron states she took a beer bottle and smashed it over her assailant's head causing the bottle to break.

The female patron stated a few minutes later, the owner of Mario's, Mario Morgese came up to her and asked if she was okay. The female patron stated that Morgese then told her not to make a big deal out of the incident, as he would take care of the problem by kicking out the patron who



had punched her. The female patron stated that Morgese again told her not to make a big deal out of the incident because he already was in danger of losing his license. The female patron related that since it was close to closing time she and her sister decided to leave the bar and walk home.

In speaking to Morgese, he told officers that the female patron who claimed to be assaulted was very intoxicated and initially told him that her "ex-man" had punched her. Morgese stated he attempted to speak with the female patron, but she would not point out who assaulted her. Morgese claimed that he offered to kick out whoever assaulted her and call the police, but she walked away and refused to cooperate with him. Morgese told officers that police arrived in the area at the same time the female patron walked away and he did not have the opportunity to call the police.

Officers observed swelling around the female patrons right eye area, but she refused to let officers take pictures of her injuries or to receive medical attention.

**Call #08—034907...August 3, 2008...Lynch's Tavern, 2300 So. 108<sup>th</sup> St... 0225 Hrs.**

Officers were dispatched to Lynch's tavern for a possible fight outside the bar. An officer observed an intoxicated and agitated patron attempting to go back into the bar, but was being restrained by two other patrons who appeared to be friends. All three patrons appeared to have been punched in the face, as all had either bloody lips or noses. All three refused medical attention.

One of the patrons claimed to have been attacked by the bouncer, Matthew J. Frahmman for no apparent reason. Another patron refuted this allegation by saying there was a reason, and the bouncer attacked his friend, but his actions were uncalled for.

In speaking to both bartender, Marcy J. Riekoff and Frahmman they stated the intoxicated and agitated patron was causing problems all night, and also at closing time. Frahmman had to escort this patron outside. Once outside, the escorted patron attempted to fight with Frahmman and the other two patrons attempted to join in on the action. Frahmman stated he was able to get away from the group, but not before getting some punches in of his own.

None of the parties on scene wished any police action and were sent on their way.

**Case #08-012148...August 9, 2008...Paulie's Pub & Grill, 8031 W. Greenfield Ave... 0029 Hrs.**

Officers were dispatched to Paulie's Pub & Grill for a trouble call. Investigation revealed that a male patron had punched another male patron in the face inside of the bar.

In speaking to the owner, Paulie Budiach, he stated he observed two subjects fighting in the bar. Stated he broke up the fight and called police immediately.

**Call #08-036102...August 9, 2008...Larry Michaels, 8900 W. Greenfield Ave...0155 Hrs.**

Officers responded to Larry Michaels for a trouble call. The bouncer, Jamar Duke told officers that a male patron was being disorderly in the bar attempting to pick fights with other bar patrons. Duke asked officers to remove the male patron out of the bar. The patron was removed and advised if he returns he would be cited for criminal trespass.

**Case #08-012145...August 9, 2008...Lenny's, 6309 W. National Ave...0012 Hrs.**

Officers observed a male and female loudly arguing near a vehicle outside of Lenny's Tavern. Officers made contact with the two parties, at which time the female ran inside of the bar. Once inside, officers observed the female throwing multiple punches in the direction of her boyfriend. The female patron did not connect on any of the punches, however she knocked over several drinking glasses that were located on top of the bar.

**Case #08-012217...August 10, 2008...Mario's, 1900 So. 60<sup>th</sup> St...0159 Hrs.**

An unidentified person flagged down police who were in the area stating that a male party was being assaulted outside of Mario's. Investigation showed that a male party was struck in the face, as well as kicked in the back of the head by unknown parties. The victim told officers that nothing happened and did not wish to pursue charges.

In speaking to Mario Morgese the owner of Mario's, he stated he witnessed the incident and attempted to intervene on the victim's behalf. Morgese told officers that just prior to their arrival, he observed the victim being punched and kicked on the southeast corner of So. 60<sup>th</sup> St. and W. Burnham St. Morgese said he exited the bar and grabbed the party who was assaulting the victim.

Morgese stated the assailant kicked the victim in the head and continued trying to kick him as he pulled the assailant away. Morgese denied the altercation started in the bar and did not know what triggered the fight. Morgese did assist in breaking up the fight assuring that the victim did not get seriously injured.

**Case #08-012364...August 12, 2008...Randy's Neighborhood Inn, 6922 W. Becher St. 1957 Hrs.**

While on routine patrol, an officer observed three male parties involved in a physical confrontation outside of Randy's Neighborhood Inn. Investigation showed that two male patrons were involved in a physical confrontation inside the bar that ended up outside. The bartender, Randall C. Hopt stated two male patrons had gotten into a verbal altercation inside of the bar leading one of the patrons to leave. Stated a short time later, the male patron who had left came back inside of the bar, picked up a bar stool and threw it at the other patron striking him across his body.

Hopt stated the two then began to fight and he came out from behind the bar and put one of the patrons onto the ground and held him until the patron calmed down. Stated the patron left the tavern again, and approximately twenty minutes later, he observed this patron standing outside of the front door of the tavern challenging the other patron to a fight. Stated the patron who was in the bar walked outside and the two began fighting. Hopt said he went outside and broke up the fight at which time the police arrived.

**Case #08-012322...August 12, 2008...Smoking Joe's, 6139 W. Beloit Rd. 0041 Hrs.**

Officers responded to a fight call at Smoking Joe's Tavern. Upon arrival officers encountered a male party who was bleeding profusely from the head. This party ran from officers and attempted to enter the tavern, where police eventually subdued him. This party refused to cooperate with police and was later transported to the hospital for an approximately 3.5 inch laceration to the top of his head that required 6 staples to close.

In speaking to the owner of Smoking Joe's, Joseph Jeffords, he gave the following statement; stated a male patron was dancing with another male patrons girlfriend and some words were exchanged. Stated things calmed down and everything appeared to be settled. A short time later a male party entered the tavern carrying two baseball bats. Stated this party was standing at the top of the stairs with the bats, he was not threatening anybody or doing anything with the bats, just standing there (Why would he let somebody come into the bar carrying (2) baseball bats?)

Stated another male patron came around the bar towards the front windows swinging a sock that contained an unknown object inside of it. Jeffords said he attempted to grab the male patron who was swinging the sock, but was too late and this patron struck the victim on top of the head with the sock. Jeffords said the victim did not try to fight back, but was standing at the top of the stairs as he (Jeffords) pushed the offender and another patron out of the bar. Stated he then turned around and noticed the victim was bleeding from the head.

In speaking with the brother of the offender, he stated he was at home and at midnight he received three phone calls. Stated two of the phone calls were from his brothers, girlfriends, stepson telling him to get down to the bar as some guys are calling people to come there. Stated the third call was from his brother's girlfriend telling him to come down to the bar because there is going to be trouble and the troublemakers called friends.

Stated he arrived at the bar and walked through the front door. Stated he observed his brother and the victim actively fighting (throwing punches back and forth). Stated another male patron came after him from the top of the stairs. Stated he put his arms out in front of him to prevent the guy from coming after him, stated no punches were thrown and no words were exchanged.

Stated his brother then grabbed him and pushed him out of the bar, as they were exiting the bar, a bar stool was thrown at them. Stated he and his brother got into his car and he immediately began yelling at his brother telling him he can't get involved into his brother's business. Stated his brother responded by saying "Those guys were lipping off".

**Case #08-012907...August 22, 2008...Mario's, 1900 So. 60<sup>th</sup> St. 0032 Hrs.**

Officers were dispatched to Mario's for an assault complaint. The complainant said he was involved in a bar fight and would be waiting for police outside of the bar. The complainant was not willing to pursue charges regarding the bar fight, but was more concerned with the way Mario's employees handled the situation. Stated they failed to break up the fight and refused to contact the police when he requested.

The complainant stated the fight stemmed from a pool game between himself, his friend and two other patrons. Stated they made a bet of five dollars a game, they won and the two patrons would not pay, thus causing the fight.

The complainant stated he was knocked to the ground and was being assaulted, stated Mario's staff members stood around and did nothing during the fight. The complainant said the fight was eventually stopped and Mario's employees were able to get the two male patrons he and his friend were assaulted by out of the bar through the side door.

Stated as he and his friends were gathering their things and the two male patrons who were kicked out by Mario's employees earlier reentered the bar walking right past the same employees who kicked them out. Stated he was then blindsided by one of the male patrons, and then a black female patron started fighting with some of the girls he was with. Mario's staff forced this group out of the bar for a second time for them only to return again and start fighting with him and his group of friends for a third time.

The complainant stated that Mario's employees made no attempt to stop anyone from reentering the bar after they were kicked out on the two separate occasions. Stated the doorman for Mario's Bruce Hicklin told him the cops were outside and the parties causing the problem were being arrested. Stated he and his friends were advised to stay inside the bar so they would not get arrested. When the complainant asked to tell his side of the story to police, Mario's employees told him and his friends they could not leave the bar.

The complainant said Mario's employees cleaned everything up (broken pool stick, hair and broken glass). Stated as they were cleaning one of the employees picked up some hair from the fight and asked his female friend if the hair belonged to her in a sarcastic voice and began laughing in her face. The complainant said he then called police to report what happened and found out there was no police contact as the doorman had told him.

Officers spoke to an independent witness who was in the bar when the fight occurred. Stated the fighting continued for approximately 2 to 5 minutes until Mario's employees attempted to break up the fight. This witness stated he used to be a bar bouncer and in his opinion felt the lack of help from the Mario's employees was unfair.

In speaking with Jodie Rauth who was bartending that night, she admitted that there was an altercation inside the bar, but everyone was kicked out. Stated just prior to the altercation, she was behind the bar serving drinks. Stated she observed several male parties scuffling near one of

the pool tables and she alerted the bouncer who she identified as Bruce. Stated she observed a male black with a large build beating up on a smaller male black. Stated the larger male black had the smaller male black on the ground and was hitting him several times in the head/face area. Stated "Bruce" the bouncer attempted to stop the fight, but was initially unable to stop it at first.

Stated the parties were eventually separated and kicked out of the bar. Stated she observed two female parties who attempted to get involved. Stated one grabbed a pool cue, but Hicklin took the cue away from her and Rauth claimed not to see anybody get hit by pool cue.

Rauth was asked why no one called the police, she stated that everything had been resolved and it did not appear to be a serious matter. When asked why the bouncer (Hicklin) would tell officers that there hadn't been a fight, Rauth stated she did not know. Rauth said there definitely was a fight and Hicklin was actively involved in breaking it up.

In speaking with Bruce Hicklin (Bouncer), he told officers there was no fight inside of the bar. Hicklin stated that business was slow and there were only a few patrons inside of the bar.

While officers were speaking with the complainant who was approximately 25 feet away, the officer talking to Hicklin pointed to the complainant and asked Hicklin if the complainant was involved in a fight tonight. Hicklin looked at the complainant and stated "No I don't think he was even in the bar tonight".

When confronted with what Rauth told officers, Hicklin then stated, "Well it wasn't really a fight. Some guys were arguing about a pool game. No one got hurt or hit with any pool cues. We broke them up and kicked everyone out of the bar".

Officers asked Hicklin if he was aware that bar staff was required to call police when a fight occurred inside the bar, he said he did, but did not think this was a big deal. Stated they broke it up and kicked them out without any problems.

**Call #08-038873...August 24, 2008...Painted Parrot, 8028 W. National Ave. 0123 hrs.**

Employees of Painted Parrot called to report that a patron had been punched inside the bar. Officers spoke to the alleged victim who denied any knowledge of being assaulted. The patron denied being punched, was not in any arguments or altercations and desired no police assistance.

**Call #08-038869...August 24, 2008...Mario's, 1900 So. 60<sup>th</sup> St. 0058 Hrs.**

Officers responded to Mario's for a report of a subject with a gun. The caller gave officers a description of the possible offender who stated he had a gun in his right side waistband. The caller reported that he (offender) had just walked into the bar as the caller was walking out. Officers made contact with the bar owner, Mario Morgese and his security staff who advised officers that nobody matching that description had entered the bar. Officers checked inside the bar and did not locate anybody matching the description they were given.

**Case #08-013385...August 30, 2008...Legendz Tattoo Studio, 5923 W. Burnham St. 0238 hrs.**

While on routine patrol, officers observed that Legendz Tattoo Parlor was open after hours. They observed at least two parties inside of the business and three by the door talking to one of the employees. When officers stopped to investigate, one of the parties standing by the door took off running. After a short foot chase, officers apprehended the subject who fought with officers. Once under control, officers searched the subject and found an amount of marijuana on his person.

When officers tried to enter the business, Scottie Senda an employee of the business refused to let officers inside claiming he was afraid of the police and would not let them inside. Senda was issued two municipal citations for Having the Business Open After Hours and Refusing to Allow Police to Enter.

Officers attempted to contact the business owner, Nicole Botello, but were unsuccessful. Botello was mailed the same municipal citations that Senda received.

**Tobacco and Alcohol Compliance checks;**

There was one alcohol compliance check conducted for the month of August by Officer Jessica Wink.

August 14, 2008...Case #08-012465

Compliance checks were conducted at (9) West Allis merchants, all complied but one: Oklahoma Liquor and Tobacco, 10711 W. Oklahoma Ave. The owner, Inderjeet Singh was cited for Selling Alcohol to a Minor (Singh was the person who sold the alcohol).

There was also one Tobacco compliance check conducted for the month of August by Officer Jessica Wink.

Compliance checks were conducted at (10) West Allis businesses. All businesses complied.