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MAY 08 2023
WEST ALLIS
CITY ATTORNEY

May 5, 2023

Nicholas Cerwin

City Attorney

City of West Allis

Mr. Cerwin

I received your letter of May 1, 2023. I have closely read your discussion of our property at 708 S 57th ST, West Allis, WI. I am making an official appeal of the designation of this property as a Chronic Public Nuisance Property. I will also offer suggestions for a written course of action to abate the nuisance.

On or about July 27, 2022 Eric had a hearing of complaints against him. He had received an evaluation of mental competency and was declared NOT competent to stand trial for charges. He was ordered to the Milwaukee County Mental Health facility for treatment. He was released from MCMH within three days and administered only one shot of antipsychotic medication. Since Eric has been non-compliant in the past, he had a caseworker sent to his house for follow up. He never answered the door. He was not readmitted to MCMH for non-compliance. Eric's non-compliance was a stipulation for his release. Eric, without continued medication deteriorated to his current state of not being able to understand or be understood in a verbal interaction with others, including myself and his father. During the first part of December Eric was detained and sent to Wisconsin Mental Health Institute – Oshkosh, WI. He was there I believe for three weeks. He was

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given some medication but released with no after-care follow up program. Nor was there a plan for continued medication. The lack of continued mental health care has been astounding over the years. We have completed numerous three-party petitions with the Milwaukee Corporation Counsel. It has been a revolving door for the past thirty years. The past five years have been the worst in terms of lack of services.

Currently Eric has completely broken down due to increasing symptoms of his mental illness. At this point his neighborhood is watching every move he makes and harassing him for the most minor of instances. He talks to children because these are the only people who will interact with him. The police interaction with Eric has been excessive. In one case he was slammed to the ground. I am sure that Eric's neighbors and the local police are exasperated by his continued behavior. However, making this a nuisance house is not going to help Eric or our family or the community. Milwaukee County Mental Health Services, the legal system, and the community have repeatedly failed Eric and our family.

I do have a few suggestions for a course of action. I think when there is a nuisance call by one of Eric's neighbors or anyone else police officers trained in mental health issues should be sent to the sight. Three squad cars are unnecessary. This escalation causes an increased level of hostility to everyone involved in the incident. This may accomplish two goals. 1, Encourage Eric to calm down and go and go home. 2. Be a valuable service to the community in educating the callers on mental health issues and there possible non threatening responses.

My other thought is that if this should be taken out of the realm of policing and put in the hands of Milwaukee County Mental Health. They may or may not have further suggestions. This never-ending circle of complaints, police, and no responsible interaction from Milwaukee County is not helpful to Eric, our Family, the community, and the police department. It is not a crime to have a mental illness although it seems that he is being held to account for something he has no control over. I am very concerned that either a neighbor or the police will harm Eric, possibly in a lethal fashion. Where is your responsibility to protect ALL of the citizens of West Allis?

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Perla".

Stephanie Perla

A handwritten signature in cursive script that reads "William Johnson".

William Johnson

C: Mayor Dan Devine



City Attorney's Office
attorney@westalliswi.gov
Office: 414.302.8450
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Kail Decker
City Attorney
Sheryl L. Kuhary
Deputy City Attorney
Nicholas S. Cerwin
Rebecca Monti
Principal Assistant City Attorneys

Date: May 1, 2023

William Johnson and Stephanie Perla
7704 Port Washington Road, Unit B115
Fox Point, WI 53217

Mr. Johnson and Ms. Perla,

The City of West Allis has determined that you are the owner of the property located at 708 S 57th Street in the City of West Allis, Wisconsin. This property is in violation of West Allis Revised Code Section 18.04(1)(b) and is now designated as a **chronic public nuisance**.

The West Allis City Attorney's Office has investigated and found that the following public nuisance activities have occurred on the premises:

- 4/28/2023: Call# 23-15650: Violation of West Allis Municipal Code § 18.03(2)a.viii. for disorderly conduct.
- Police were called by a neighbor in the area of 708 S. 57th Street. Caller reports that Eric Johnson, resident at 708 S. 57th, stands outside the property yelling and screaming causing others to be concerned and disrupting the community.
- 4/27/2023: Call# 23-15430: Violation of West Allis Municipal Code § 18.03(2)a.viii. for disorderly conduct.
- Police were dispatched to the neighborhood because a resident stated that Eric Johnson, a known individual, was following her and her children through a park and trying to talk to her children.
- 4/25/2023: Call# 23-15201: Violation of West Allis Municipal Code § 18.03(2)a.viii. for disorderly conduct and § 18.03(2)a.xvi. for trespass to land.
- Police were dispatched out to the surrounding area on two occasions related to this incident. A known individual, Eric Johnson, had come to the callers residence and harassed him and his wife while they were doing yardwork. They asked him to leave and he refused, became agitated, and remained on the property without consent. On the 2nd incident, Eric Johnson came back over and continued to ring the doorbell and peer into the windows of the unit, causing a disturbance and causing the caller to fear for his safety.
- 4/18/2023: Call# 23-14253: Violation of West Allis Municipal Code § 18.03(2)a.viii. for disorderly conduct.
- Neighbor called police regarding Eric Johnson at 708 S. 57th street yelling at the caller's dog through the fence. Eric then asked to leave but refuses and just stands on other side of the alley and continues to yell at and harass the caller.
- 4/3/2023: Call# 23-12027: Violation of West Allis Municipal Code § 18.03(2)a.viii. for disorderly conduct.
- Neighbor called police. She was attempting to move out and Eric Johnson would come from his house and harass her and her children. Police had contact with Eric who refused police options to divert his attention away from the neighbor.
- 3/21/2023- Call# 21-10368: Violation of West Allis Code § 18.03(2)a.viii. for disorderly conduct.
- Police were called to a nearby park related to an adult man identified as Eric Johnson harassing children at the park and threatening to strike an individual. Caller reports that Eric Johnson only left when he was confronted by other adults. Police attempted to have contact with Eric related to the issues but he could not be located.

To become designated as a chronic public nuisance, the West Allis Municipal Code section 18.04(1)(b) requires at least three (3) nuisance activities in the last six months. The City reserves the right to allege additional contacts and conduct within the last 180 days that tend to show the nuisance activity at the



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subject property if this designation is contested. These frequent and unnecessary calls for service require an inequitable and excessive amount of police resources and are taking those resources away from other city residents. Additionally, these excessive contacts by resident, Eric Johnson, have begun to occur more frequently and occasionally involve Mr. Johnson attempting to contact juveniles without parents or guardians being present. These actions will not be tolerated.

Based on the determination that the property at 708 S. 57th Street is a **chronic public nuisance**, the cost of future enforcement may be assessed as a special charge against the premises. You, as the premises owner, shall within ten (10) days respond to the West Allis City Attorney's Office with either a written appeal of the designation or to propose a written course of action to abate the nuisance activities. Please be aware that a written course of action to abate the nuisance activity **does not** curtail the City's ability to assess future enforcement costs as a special charge on the premises. You must either cease this nuisance activity or appeal the designation to avoid those costs. Failure to comply with this order may result in additional legal action by the City of West Allis in addition to the assessment of the cost of enforcement.

If you have questions about this designation or order, please contact me at the phone number listed above.

A handwritten signature in black ink, appearing to read "N. S. Cerwin", written over a horizontal line.

Nicholas S. Cerwin
Assistant City Attorney | City Attorney's Office
City of West Allis

5/1/2023

Date

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

William Johnson + Stephanie
Perla
7704 Port Washington Road
Unit B115
Fox Point, WI 53217



9590 9402 5058 9092 7235 21

2. Article Number (Transfer from service label)

7018 2290 0001 5907 3354

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

William Johnson ☐ Agent
☐ Addressee

B. Received by (Printed Name)

5-5-2023

C. Date of Delivery

5-5-2023

- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

MAY 08 2023

WEST ALLIS
CITY ATTORNEY

3. Service Type

- | | |
|--|---|
| ☐ Adult Signature | ☐ Priority Mail Express® |
| ☐ Adult Signature Restricted Delivery | ☐ Registered Mail™ |
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| ☐ Insured Mail Restricted Delivery (over \$500) | |

PS Form 3811, July 2015 PSN 7530-02-000-9053

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