



WEST ALLIS POLICE DEPARTMENT

Patrick S. Mitchell
Chief of Police

Christopher Botsch
Deputy Chief of Police

Robert Fletcher
Deputy Chief of Police

10th June 2020

To: Mayor Dan Devine

License and Health Committee:

- Aldersperson Michael Czaplewski (Chair)
- Aldersperson Daniel Roadt (Vice-Chair)
- Aldersperson Michael May
- Aldersperson Martin Weigel
- Aldersperson Kevin Haass
- Assistant City Attorney Nicholas Cerwin

The following is a summary of reported incidents involving licensed businesses, including reported tavern violations and calls for police service during the month of May 2020:

INCIDENT REPORTS:

Due to the Covid19 Pandemic there was a Safer at Home order issued. In the event a non-essential business refuses to close, we will issue the business a citation (WI statute 252.25), WAMC 6.02(3)(a) with a fine amount of \$681.00 for violating the Safer at Home order. All incidents were documented under one case #20-016610 even though the events occurred on different days and time the violations were the same. Each incident will summarized below.

Slurp N Burp Tavern - 1454 S 92 St

CALL #20-015829// 8 May 2020 at 2311hrs// Slurp & Burp 1454 S. 92 St

P.O. French reports...***Tavern Violation***

On Friday, May 8, 2020 at 2311hrs, officers were dispatched to Slurp & Burp, 1454 S. 92 St regarding the bar being secretly open and the doors locked. Upon arrival there were numerous vehicles parked on the street and in the parking lot across the street. I entered the unlocked side door of the bar and observed approximately 15 customers inside the bar. Each customer inside were drinking alcoholic beverages, the music was playing, customers were shooting darts, and a game of bar dice was being played. Upon walking throughout the bar all of the customers were surprised and shocked to see me. I stood at the bar directly in front of the bartender for a significant amount of time before I finally got his attention. I spoke to the bartender who identified himself as the owner, Robert M. Lucas M/W [REDACTED] When asked what was going on inside the bar he stated he had a meeting and everyone inside the bar were his employees. I told



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Lucas I didn't believe him at which time he stated that not everyone was an employee. Lucas also attempted to justify it by saying they were "open". Lucas was told he needed to shut it down, which he complied. I walked to the front door and noticed the front door was locked by three separate locks on the front door. Officers remained on scene until all customers left the bar and area.

CALL #20-016643// 15 May 2020 at 2341hrs// Slurp & Burp 1454 S. 92 St

Officer Brockmann reports... Tavern Check

On 05/15/20 at 2341hrs., Officer Jacobsen and I conducted a tavern check at Slurp 6 Of 12 Continuation Reporting Officer(s): Pages:: Incident Report Number Incident Location: Incident Date: & Burp tavern, 1454 S 92 St. Both the west facing and south facing doors were locked and the establishments inside lights were on. Officers heard patrons talking inside the bar. Officers knocked on the doors several times; however, no one came to answer. Officers were ultimately unable to contact anyone inside the tavern.

CALL #20-017161 19 May 2020 at 1700hrs// Slurp & Burp 1454 S. 92 St

Sgt. Iskandarani reports...Tavern Violations

On 05/19/2020 at approx. 1700hrs, WAPD officers responded to Slurp & Burp located at 1454 S 92 St. Upon arrival, I observed that the front door was open however the business "open" sign was not illuminated. I made contact with a male at the front door who was later identified as Robert M Lucas M/W [REDACTED] (tavern owner) who initially refused to allow officers into the tavern. Officers entered the tavern contrary to Roberts request as there appeared to be open intoxicants on the bar and people inside of the business. After concluding an investigation it was determined that a total of 5 people were in the tavern however they were all doing construction repairs. The bar was not operating or open to the public. Robert was initially highly uncooperative however by the time officers cleared the business he was calm and somewhat cooperative. After concluding an investigation no action was taken. Robert was again advised of the nuisances to the new county order. *** Throughout the investigation my body worn camera was activated and recording in accordance with department policy. The footage was tagged as "miscellaneous / other" for retention purposes. ***

CALL #20-016478// 14 May 2020 at 1612hrs// Slurp & Burp 1454 S. 92 St

Sgt. Orłowski reports: Tavern Violation

On 05/14/20 at 1612hrs, I responded to the Burp N Slurp to investigate a report of the bar being open. Upon arrival, all the bar/beer lights were on as well as the OPEN sign. I made contact with



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the bar owner, Robert M. Lucus, M/W, [REDACTED] and explained to him that his bar still needs to be closed per the health department. He explained the Tavern league notified bar owners they could be open after the WI Supreme court ruling. I forwarded CA Grill's email that was provided to use explaining the rules that were still in effect. Lucus said he understood and would take care of closing the bar. On 05/14/20 at 2148hrs, and anonymous citizen drove past the bar and advised dispatch the lights were off at the bar but there were ten people inside. I did a spot check and everything inside the bar was dark.

Boosters West Tavern - 7731 W Becher St

CALL #20-016608// 15 May 2020 at 2209hrs//Boosters West Tavern 7731 W. Becher St

Sgt. Iskandarani reports...Tavern Violation

On 05/15/2020 at approx. 2209hrs WAPD officers responded to "Boosters West" 7 Of 12 Continuation Reporting Officer(s): Pages: Incident Report Number Incident Location: Incident Date: located at 7731 W Becher St to conduct a tavern check. Multiple anonymous callers reported that the bar was open and operating contrary to the "Milwaukee County Suburban COVID-19 Public Health Plan". Upon arrival, I observed that the exterior "open" sign was on and illuminated. I observed patrons outside smoking and a large quantity of cars parked on the street in front of the business. I entered the bar and observed approximately 20-30 patrons inside consuming intoxicants. I spoke with the bartender identified as Devon M Baker F/B [REDACTED] (license #8244) who was advised that the city in conjunction with the West Allis Police Department was asking them to voluntarily shut down. I explained that if the business decided not to shut down law enforcement would not force them to do so. The business was advised that if they decided to remain open, contrary to the order, it would be documented and forwarded to the city. I advised the bartender that there was the possibility there would be ramifications for the business liquor licenses if they refused to follow the order. The business reported they were not going to shut down and remained serving patrons. *** Throughout the investigation my body worn camera was activated and recording in accordance with department policy. The footage was tagged as "other / miscellaneous" for retention purposes. ***

CALL #20-01675// 16 May 2020 at 0008hrs//Boosters West Tavern 7731 W. Becher St

Sgt. Gold Reports...Noise Complaint

On 05/16/20 at approx. 0008hrs, Officers responded to Boosters West for loud music and drag racing. On arrival I noted the exterior "open" sign was on and illuminated, there were parked cars on both sides of the street and a patron was smoking a cigarette on the sidewalk. I did not observe drag racing in the area, however as I stood outside the tavern I could hear the loud music blaring inside. Upon entering the tavern I observed 20-30 patrons consuming intoxicants. Contact was made with the bartender, Devon M. Baker F/B [REDACTED] (License #8244), who was



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advised of the complaint. I reminded Devon as well as another unknown male who claimed to be a bartender that the business should not be operating right now, however they had no intention of shutting down. The music was subsequently turned down and Officers left the tavern. It should be noted I later drove by the tavern around bar time and noticed it was still operating. *Officers on scene were recording the call for service via body worn cameras*

CALL #20-016777// 16 May 2020 at 1549hrs//Boosters West Tavern 7731 W. Becher St

PO Dobschuetz reports: Tavern Violation

On 05/16/2020 at 1549hrs., officers responded to Boosters West, 7731 W Becher St., regarding the tavern being open and operating contrary to the "Milwaukee County Suburban COVID-19 Public Health Plan". Upon arrival, I observed that the exterior "open" sign was on and illuminated and there were motorcycles and vehicles parked out front. I entered the bar and observed approximately 10 patrons inside consuming intoxicants. I made contact with the bartender, Devon M Baker F/B [REDACTED] (license #8244) who was advised that due to the Milwaukee County Suburban COVID-19 Public Health Plan, they should be shut down. She contacted her boss, Keith P Randolph M/W [REDACTED] who I spoke with via phone. I advised him about the COVID-19 Public Health Plan and that the city along with WAPD was asking them to voluntarily shut down. I explained that if the business decided not to shut down law enforcement would not force them to do so. Keith stated if he wasn't being ordered to close, he would remain open. I informed him that if he remained opened this incident would be documented and forwarded to the city and there could be citations issued. He stated he would speak with his attorney, but would remain open.

Havana Lounge - 9505 W. Greenfield Ave

CALL #20-016647// 15 May 2020 at 2353hrs//Havana Lounge - 9505 W. Greenfield Ave

Ofc Jacobsen reports...Tavern Violation

On 05/15/2020 at approx. 2353hrs, we performed a tavern check at Havana Lounge, 9505 W Greenfield Ave. We found the bar to be open and operating with 8 people inside smoking cigars and several drinking at the bar. I made contact with bartender, Ellis L. Turrentine b/m [REDACTED] the only employee on scene. Ellis stated he was not aware of the Milwaukee County mandate closing bars. Ellis reported his manager called him and told him to come to work this evening, so he did. Ellis was advised of the Milwaukee County order and the prohibition on being open and was told to speak to his boss about it. The bar was not forced to close.



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CALL #20-017166// 19 May 2020 at 1710hrs//Havana Lounge - 9505 W. Greenfield Ave

Sgt. Iskandarani reports... Tavern Violation

On 05/19/2020 at approx. 1710hrs, WAPD officers responded to Havana Lounge located at 9505 W Greenfield Ave as the business was reported to be open and operating. Upon arrival, I observed there were approximately 8-10 customers inside of the business smoking cigars or shopping. Contact was made with the bartender identified using a WI photo ID as Kathryn L Duppler F/W [REDACTED] (license #8366). Kathryn was provided with information regarding the new county COVID-19 order. Kathryn was highly argumentative during contact with law enforcement and referenced multiple times that WAPD was unethical and did not have the authority after the state's highest court struck down the original order. Kathryn ultimately agreed to voluntarily ask customers to leave the business. Prior to clearing the scene Kathryn added that the business had been operating for an extended period of time contrary to the order. The bar owner, Brian J Blocher M/W [REDACTED] contacted WAPD by phone a short time later and reported he wanted to work with law enforcement and stated the business would comply with our request to keep their business closed except for "take out". *** Throughout the investigation my body worn camera was activated and recording in accordance with department policy. The footage was tagged as "miscellaneous / other" for retention purposes. ***

CALL #20-017343// 20 May 2020 at 2155hrs//Havana Lounge - 9505 W. Greenfield Ave

Sgt. Iskandarani reports... Tavern Violation

On 05/20/2020 at approx. 2155hrs, WAPD officers responded to Havana Lounge located at 9505 W Greenfield Ave as the business was reported to be open and operating. Upon arrival, I observed there were approximately 5 customers inside of the business smoking cigars and drinking at the bar. I observed that the bartender was also behind the bar working the register, counting money, and tending to the bar as I watched from outside of the business. Contact was made with the bartender identified using a WI photo ID as Kathryn L Duppler F/W [REDACTED] (license #8366). Kathryn was again highly argumentative during contact with law enforcement (see the previous call #20-017166 for a summary of her behavior during the last encounter with WAPD). Kathryn claimed that everyone drinking inside of 10 Of 12 Continuation Reporting Officer(s): Pages:: Incident Report Number Incident Location: Incident Date: the business were employees. Based on my observations the only way to have confirmed her statement was to make contact with each of her customers, identify them, and obtain work information or pay stubs. While watching the subjects did not appear to be in a working capacity, were sitting at the bar, drinking what appeared to be alcohol, and smoking cigars. Based on the circumstances I advised Kathryn that my observations would again be documented however I was not going to push identification with each person in the business or issues citations. She remained



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argumentative and aggressive with law enforcement. I attempted contact with the bar owner, Brian J Blocher M/W [REDACTED] however he did not answer. A voicemail was left with my contact information. This information will be forwarded to Lt Pasdera for follow-up. *** Throughout the investigation my body worn camera was activated and recording in accordance with department policy. The footage was tagged as "other / miscellaneous" for retention purposes. ***

CALL #20-016588// 15 May 2020 at 1839hrs//Scooters Tap 9000 W. National Ave

Ofc. Rapp reports...Tavern Check

5/15/2020 1839, Scooter's Tap 9000 W National Ave. WAPD received two complaints regarding this business - one stating the business was open and 20-30 people inside, and another call saying there appeared to be a heated argument outside. Officers Krueger and Rapp responded. Officers found no argument and no one who witnessed an argument. Officers saw approximately 20 persons inside the business, and saw beverages being sold and consumed. Officer Rapp spoke with bartender Rachel S. Ebert, FW, [REDACTED], (West Allis bartender license #8347) who was advised of the current COVID-19 Public Health Plan for Suburban Milwaukee County. Sgt. Orlowski and Lt. Pasdera were also briefed.

CALL #20-016588// 19 May 2020 at 2025hrs//Las Palmas Restaurant 1901 S. 60 St

Sgt. Iskandarani reports...Tavern Violation

On 05/19/2020 at approx. 2025hrs, WAPD officers responded to Las Palmas located at 1901 S 60th St to conduct a tavern check. The business was allegedly operating outside of the COVID-19 county order. Upon arrival, I observed the business had the exterior "open" sign on. There were two citizens inside at the bar waiting for a pick-up order from the restaurant. I made contact with the tavern manager identified as Antonio C Rivera M/H [REDACTED] who stated they were operating as take-out only. I observed the two subjects waiting at the bar were drinking intoxicants. Antonio was advised that customers could not consume intoxicants inside of the tavern. He was cooperative and shut that section of the business down. All parties in the tavern / restaurant were cooperative. *** Throughout the investigation my body worn camera was activated and recording in accordance with department policy. The footage was tagged as "miscellaneous / other" for retention purposes. ***

TAVERN RELATED INCIDENTS NOT REQUIRING INCIDENT REPORT:

There were no tavern related incidents not requiring an incident report. Due to the COVID-19 pandemic taverns have been closed.



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Tobacco and Alcohol/ Tavern Compliance Checks

Tobacco compliance checks:

No violations reported during this reporting period.

Alcohol compliance checks:

No violations reported during this reporting period.

Tavern compliance checks:

Tavern compliance squads check randomly selected taverns in the City of West Allis for miscellaneous tavern violations such as license violations.

Officers trained in Class B tavern compliance checks performed 114 tavern checks at randomly selected taverns in the month of May 2020.

Violation of Wisconsin Clean Air Act Smoking Ban:

No violations reported during this reporting period.

Respectfully submitted,

Sgt. James Cato  #50