



City of West Allis

Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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2014-0216	Report	Held in Committee
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Police Department Report involving The Walleye Saloon, 8824 W. Becher St. (2013-2014 Class B Tavern License no. 1970 of Janocik and Janocik, LLC, Andrew P. Janocik, Agent, Incident Date: March 23, 2014).

Introduced: 4/15/2014 **Controlling Body:** License & Health Committee

PLACE ON FILE

COMMITTEE RECOMMENDATION

	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
ACTION DATE:			Barczak	✓			
<u>MAY 06 2014</u>	✓		Czaplewski	✓			
			Haass	✓			
			Lajsic				
			May				
			Probst				
			Reinke				
			Roadt	✓			
			Vitale				
		✓	Weigel	✓			
			TOTAL	5	0		

SIGNATURE OF COMMITTEE MEMBER

Chair	Vice-Chair	Member
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COMMON COUNCIL ACTION

PLACE ON FILE

	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
ACTION DATE:		✓	Barczak	✓			
<u>MAY 06 2014</u>	✓		Czaplewski	✓			
			Haass	✓			
			Lajsic	✓			
			May	✓			
			Probst	✓			
			Reinke	✓			
			Roadt	✓			
			Vitale	✓			
			Weigel	✓			
			TOTAL	10			

**STANDING COMMITTEES OF THE
CITY OF WEST ALLIS COMMON COUNCIL**

ADMINISTRATION & FINANCE

Chair: Vincent Vitale
 Vice-Chair: Kevin Haass
 Thomas G. Lajsis
 Michael P. May
 Cathleen M. Probst

PUBLIC WORKS

Chair: Gary T. Barczak
 Vice-Chair: Martin J. Weigel
 Michael J. Czaplowski
 Rosalie L. Reinke
 Daniel J. Roadt

SAFETY & DEVELOPMENT

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

LICENSE & HEALTH

Chair: Michael J. Czaplowski
 Vice-Chair: Daniel J. Roadt
 Gary T. Barczak
 Kevin Haass
 Martin J. Weigel

ADVISORY

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



**City of West Allis
Police Department**

Liquor Establishment Violation

Date: 3/23/2014
To: Lieutenant Jessica Johnson
From: Officer J. Fletcher

Violation Type

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

Incident #: 14-002469

Location: 8824 W. Becher St.
Establishment Name: Walleye Saloon
Establishment License #: 1300001970
Establishment Owner: Andrew P. Janocik
Owner Address: 630 W. Lakeview, Oak Creek, WI, 53154

- N/A
 N/A
 N/A
 N/A
 N/A

Violation(s):

Offender: Kristin K. Provencher
Offender Address: 2218 S. 64 St., West Allis, WI, 53219
Offender:
Offender Address:
Offender:
Offender Address:
Offender:
Offender Address:

- N/A
 N/A
 N/A
 N/A
 N/A
 N/A
 N/A
 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

Incident: Criminal Dam-Business			
Incident Report Number: 14-002469	Between: Date - Time	And/At: Date-Time 3/23/14	00:33
Incident Location: 8824 W Becher St;WA, West Allis, WI, 53227			
CFS Code-1: 2901	CFS Code-2:	CFS Code-3:	Offense Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

V	Name (Last, First, Middle) Janocik, Andrew P	DOB: 06/29/1981	Race/Sex M
Address: (Address, City, State, Zip) 630 E Lakeview, Oak Creek, WI, 53154			Home Phone Number (414) 628-4774
Employer			Work Phone Number
Employer Address			Cell Phone Number
B	Name (Last, First, Middle) Walleye Saloon,	DOB:	Race/Sex
Address: (Address, City, State, Zip) 8824 W Becher St;WA, West Allis, WI, 53227			Home Phone Number
Employer			Work Phone Number
Employer Address			Cell Phone Number

SUMMARY

Officer Otto reports: Criminal Damage to Property, 8824 W. Becher St. On 3/23/14, at approx. 0033hrs, Officers responded to the Walleye Bar for the report of a criminal damage to property incident. Upon arrival, contact was made with the caller/bartender, Austin B. McCullough, (m/w, 6/4/90) who stated a known party, Kristin K. Provencher, (f/w, 7/14/92), was leaving the bar and had hit a double pane window, with her hand, on the outside of the establishment causing it to break. Estimated cost of damage is \$500.00. Investigation will continue.

Vehicle Information: (Year, Make, Model, Style, Color)			
License Number:	State:	Expiration Year:	Vin:
Other Vehicle Information:			Insurance Company:
Reporting Officer(s): Otto, Michael A.			NCIC#
Time Received: 00:33:16	Time Cleared: 01:12:12	Unit(s) Assigned: 311. 314	Payroll Number: 9829
Reviewed by: Marks, Christopher		Payroll Number: 9075	Report Date:
Pages: 1 Of 5		Copy To	

Date: 03/23/2014
CFS Code-1: 2901
Incident Report Number: 14-002469

West Allis Police Department

Continuation

Incident Report Number
14-002469

Incident Location:
8824 W Becher St;WA, West Allis, WI, 53227

Incident Date:
03/23/2014

NAMES

Caller

McCullough, Austin B W/M-23 of N82W13240 Fond du Lac Ave,
1
Menomonee Falls, WI, 53051
DOB: 06/04/1990 DL: M242-0029-0204-01
Home Phone: (262) 312-0635

Offender

Provencher, Kristin K W/F-21 of 2905 S 104 St;WA, West Allis, WI, 53227
DOB: 07/14/1992 DL: P615-5119-2754-03
HT: 504 WT: 140 Hair: Brown
Eyes: Hazel
Home Phone: (414) 545-0561 Cell Phone: (414) 336-6812

Booking#: 14-001600

Case#	Charge	Description	Ct
14-002469	WA-943.01	Criminal Damage to Property	1

NARRATIVE

INITIAL RESPONSE

On 3/23/14, at approx. 0033hrs, Officers responded to the Walleye Bar for the report of a criminal damage to property incident.

STATEMENT BY AUSTIN B. MCCULLOUGH-CALLER/WITNESS

Austin is a bartender at the Walleye Bar and called tonight to report this incident. stated his girlfriend and Kristin K. Provencher, (f/w, 7/14/92) were in the bar talking with some unknown males. Kristin and Austin's girlfriend decided to leave with the unknown males and Austin made the comment to the males to, "Have fun with that slut." Austin was referring to Kristin due to past knowledge of her actions. Austin advised that he did not say this directly to Kristin, but instead, his girlfriend heard him say this and relayed the information to Kristin.

Reporting Officer(s):
Otto, Michael A.

ID Number
9829

ID Number

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West Allis Police Department

Continuation

Incident Report Number
14-002469

Incident Location:
8824 W Becher St;WA, West Allis, WI, 53227

Incident Date:
03/23/2014

As Kristin and the others exited the establishment, they walked east on W. Becher St. and she used an open hand to hit a double pane window that is on the south side of the building causing one of the pane's to break. Kristin then left in a vehicle with WI-Reg: CRACKER, which belongs to Austin's girlfriend.

I asked Austin how he knew it was Kristin that had broken the window and he advised that she is his girlfriend's friend and he has known her for a couple of weeks.

Austin described Kristin as approx. 21 years old, 5'6" tall and approx. 125-130lbs. with brown hair. Austin could not provide a clothing description for Kristin or her known whereabouts.

WITNESS STATEMENT

See Officer Fletcher's Supplemental Report.

CONTACT WITH ANDREW P. JANOCIK-OWNER

While on scene, Austin made contact with the owner of the establishment, Andrew P. Janocik, (m/w, 6/29/81) who advised he would like Kristin arrested for this incident.

LACK OF CONSENT

At no time did Austin or Andrew give Kristin permission to break a window on the business.

PHOTOGRAPHS

See Officer Fletcher's Supplemental Report.

DAMAGED PROPERTY

Damaged during this incident was 1 pane of a double pane window with an approx. value of \$500.00.

ATTEMPT TO LOCATE KRISTIN K. PROVENCHER

I checked WAPD local records and retrieved an address of 2218 S. 64th St. and a home phone number of 414-545-0561. A check through DOT showed that Kristin has an address of 2905 S. 104th St. The physical descriptions listed in the DOT file indicate that Kristin is 5'6", 150lbs, and has brown hair.

CONTACT WITH KRISTIN K. PROVENCHER

Reporting Officer(s):

Otto, Michael A.

ID Number
9829

ID Number

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West Allis Police Department

Continuation

Incident Report Number 14-002469	Incident Location: 8824 W Becher St;WA, West Allis, WI, 53227	Incident Date: 03/23/2014
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On 3/26/14, at approx. 0615hrs, I called the last listed phone number for Kristin and was able to obtain a cell phone number for her. (414-336-6812) I called that number and left a voice mail for her to call me back.

On 3/30/14, at approx. 2305hrs, I attempted phone contact with Kristin, but did not make contact. A voicemail was left for her to call me back.

On 3/31/14, Kristin called back and left me a voicemail to call her back. Kristin agreed to come to the WAPD on Friday, April 4th at approx. 0630hrs.

On 4/4/14, at approx. 0630hrs, Kristin came into the WAPD for an interview, as planned.

IN CUSTODY STATEMENT KRISTIN K. PROVENCHER

On 4/4/14 at approx. , 0700hrs while in Interview Room B of the West Allis Police Department Detective Bureau, I read Kristin her Miranda Warnings from Departmental Directive 42.016. Kristin agreed to speak with me regarding this incident. This interview was audio recorded on an Olympus DS-2200 Digital Voice Recorder and saved on a departmental media card (P18-1) and stored in the Technical and Forensics Bureau. Kristins' statement here is paraphrased for this report.

Kristin stated she was at the Walleye Bar when she was about to leave with her friend Rachel for a party with the owner. Kristin and Rachel decided to leave together which lead to Austin becoming upset. Austin then lashed out at Rachel asking her why she was going to leave with that "Slut" and "she is such a whore" (referring to Kristin.) Kristin then walked back into the bar and admitted to being angry. Soon after, they walked out and Kristin broke the window by hitting it with an open hand. Kristin had no intentions of breaking the window but was upset with the names she was being called.

BOOKING PROCESS

While at the WAPD, Kristin was booked, mugged, printed, cited and released. Kristin was given citation #: M140016001 for Criminal Damage to Property. Kristen was given a local court date of 4/21/14 at 0830hrs.

Kristin was cooperative throughout the entire booking process.

CASE DISPOSITION

On 3/23/14, Officers responded to the Walleye Saloon in regards to a vandalism. Contact was eventually made with the offender, Kristin K. Provencher, who came into the WAPD for an interview. Kristin was issued a municipal citation and was given a local court date of 4/21/14 at 0830hrs, at the West Allis Municipal Court.

Reporting Officer(s): Otto, Michael A.	ID Number 9829	ID Number	Pages: 4 Of 5
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West Allis Police Department

Continuation

Incident Report Number
14-002469

Incident Location:
8824 W Becher St;WA, West Allis, WI, 53227

Incident Date:
03/23/2014

Reporting Officer(s):
Otto, Michael A.

ID Number
9829

ID Number

Pages:
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West Allis Police Department

Supplementary Report

Incident Report Number 14-002469	Incident Location: 8824 W Becher St;WA, West Allis, WI, 53227	Incident Date: 03/23/2014
New Incident:	Original CFS Code - 1: 2901	New CFS Code - 1 : New CFS Code - 2 :

NAMES

Business

Walleye Saloon of 8824 W Becher St;WA, West Allis,WI,53227

OTHER NAMES

Janocik, Andrew P M-32 of 630 E Lakeview, Oak Creek,WI,53154
 DOB: 06/29/1981
 Home Phone: (414) 628-4774

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
14-001948				
1	VAN		1 double pane window	1.000 \$500.00

Reporting Officer(s): Otto, Michael A.	Payroll Number: 9829	Payroll Number:	Report Date: 03/23/2014
Reviewed by: Marks, Christopher	Payroll Number: 9075	Copy To:	1 Of 1

West Allis Police Department

Supplementary Report

Incident Report Number 14-002469	Incident Location: 8824 W Becher St;WA, West Allis, WI, 53227	Incident Date: 03/23/2014
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

Officer Fletcher reports...

INITIAL CALL

On 03/23/14 at approx. 0033hrs., officers responded to the Walleye Saloon, 8824 W. Becher St., for a vandalism. Bartender Austin B. McCullough M/W 06/04/90 reported that a known female, Kristin K. Provencher F/W 07/14/92 punched a window in the bar, causing it to break, and left the bar. After arriving on scene, I made contact with bar patron Christopher A. Mettke M/W 12/19/78, who witnesses Provencher break the window.

WITNESS STATEMENT - CHRISTOPHER A. METTKE

Mettke advised he was seated at the far end (north side) of the bar for the entire time that he was inside of the bar. Mettke stated that when he arrived at the bar approx. 2 hours before officers arrived on scene, Provencher and another female were inside of the bar with two males. Mettke advised the parties were intoxicated, but did not cause any problems while inside of the bar. Mettke advised he did not know any of the parties, but described Provencher as a F/W in her mid 20's, approx. 5'6" with an "athletic" build, brown hair, wearing a black shirt and red hooded sweatshirt. Mettke stated that the other female that Provencher with was McCullough's girlfriend.

Shortly before officers arrived on scene, Mettke advised Provencher and the other parties left the bar. Mettke did not witness any altercation between any of the parties and McCullough before they left. After the parties left the bar, Mettke observed them walk E/B on the sidewalk along the front (south) side of the building. While the parties were walking along the front of the building, Mettke observed Provencher reach up and hit the window of the bar with her hand. Mettke then noticed that the window was broken, and the parties continued to walk E/B towards the parking lot of the business. Mettke advised the window was not broken prior to Provencher hitting it with her hand.

PHOTOGRAPHS

While on scene, I took the following photographs with department issued Canon Power Shot A590 IS Digital Camera using media card #S6C. I stored the media card in the Forensic and Technical Services Bureau in a sealed envelope. Below is the photo log:

Reporting Officer(s): Fletcher, Jesse	Payroll Number: 9963	Payroll Number:	Report Date: 03/23/2014
Reviewed by: Saftiq, Brian	Payroll Number: 2103	Copy To:	1 Of 2

West Allis Police Department

Continuation

Incident Report Number

14-002469

Incident Location:

8824 W Becher St;WA, West Allis, WI, 53227

Incident Date:

03/23/2014

- 1) Front address of the Walleye Saloon, 8824 W. Becher St.
- 2) Walleye Saloon sign
- 3) Overall photograph of broken window on front (south) side of business
- 4) Close up photograph of broken window
- 5) Broken glass on sidewalk beneath window
- 6) WAPD Photo Data Sheet

TAVERN REPORT

Based on the above incident, I completed a tavern report and turned it over to Officer Otto to be attached to the incident report.

END OF SUPPLEMENT

Reporting Officer(s):

Fletcher, Jesse

ID Number

9963

ID Number

Pages:

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