



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Matter Summary

File Number	Title	Current Status
2015-0029	Report	Introduced

Police Department Report involving Larry Michael's Club & Cafe, 8900 W. Greenfield Ave. (2014-2015 Class B Tavern License no. 472, Dance Hall License no. 1040 and Instrumental Music License no. 1039, Larry M. Beilfuss, Incident Date: December 25, 2014).

Introduced: 1/20/2015

Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION

POF

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>JAN 27 2015</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Czaplewski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Haass	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Lajsic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	May	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Probst	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Reinke	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Roadt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Vitale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Weigel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			TOTAL	<u>5</u>	<u>0</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>FEB 03 2015</u>	<input type="checkbox"/>	<input type="checkbox"/>	Barczak	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Czaplewski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Haass	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Lajsic	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	May	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Probst	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Reinke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roadt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Vitale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Weigel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			TOTAL	<u>8</u>	<u>1</u>		<u>2</u>

UNANIMOUS

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

ADMINISTRATION & FINANCE

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

PUBLIC WORKS

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

SAFETY & DEVELOPMENT

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

LICENSE & HEALTH

Chair: Michael J. Czaplewski
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. Lajsic
Cathleen M. Probst
Vincent Vitale



OFFICE OF THE CITY CLERK

Monica Schultz
City Clerk

414/302-8220
414/302-8207 (Fax)

City Hall
7525 West Greenfield Avenue
West Allis, Wisconsin 53214

mschultz@westalliswi.gov
www.westalliswi.gov

January 16, 2015

Larry M. Beilfus
d/b/a Larry Michael's Club & Cafe
8900 W. Greenfield Ave.
West Allis, WI 53214

Dear Mr. Beilfus:

The Chairman of the License & Health Committee orders that you and the bartender Alma A. Frye, appear at their meeting on Tuesday, January 27, 2015, at 6:00 P.M., in Room 128, West Allis City Hall, 7525 W. Greenfield Ave., regarding an incident, which occurred on December 25, 2014.

A copy of the incident is being sent to your home address.

All meetings, unless otherwise noted, are open to the public and may be televised and recorded through the City's Cable Communications Division.

If you have any questions, please contact the Clerk's Office at (414) 302-8202.

Sincerely,

A handwritten signature in cursive script that reads "Monica Schultz". To the right of the signature, there is a handwritten mark that appears to be "amn".

Monica Schultz
City Clerk

/amn
enclosure

cc: Larry M. Beilfus (home enclosure)
Alma A. Frye (bartender home, enclosure)



OFFICE OF THE CITY CLERK

Monica Schultz
City Clerk

414/302-8220
414/302-8207 (Fax)

City Hall
7525 West Greenfield Avenue
West Allis, Wisconsin 53214

mschultz@westalliswi.gov
www.westalliswi.gov

January 16, 2015

Alma A. Frye
1341 S. 71 St.
West Allis, WI 53214

Dear Ms. Frye:

The Chairman of the License & Health Committee orders that you appear at their meeting on Tuesday, January 27, 2015, at 6:00 P.M., in Room 128, West Allis City Hall, 7525 W. Greenfield Ave., regarding an incident, which occurred on December 25, 2014 at Larry Michael's Club & Cafe.

All meetings, unless otherwise noted, are open to the public and may be televised and recorded through the City's Cable Communications Division.

If you have any questions, please contact the Clerk's Office at (414) 302-8202.

Sincerely,

Monica Schultz
amn

Monica Schultz
City Clerk

/amn
enclosure

cc: Larry M. Beilfus (home enclosure)



**City of West Allis
Police Department**

Liquor Establishment Violation

Date: 12/25/2014
To: Lieutenant Jessica Johnson
From: Officer D. Foy

Violation Type

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

Incident #: 14-011456 N/A

Location: 8900 W Greenfield Ave N/A

Establishment Name: Larry Michael's Club and Cafe N/A

Establishment License #: 472 N/A

Establishment Owner: N/A

Owner Address: N/A

Violation(s): Carry Concealed Weapon, Go Armed while Intoxicated, Carry Handgun Alcohol Sold/Consumed N/A

Offender: Adam L Malmquist N/A

Offender Address: 6631 W Beloit Rd West Allis, WI N/A

Offender: Mark S. Shallows N/A

Offender Address: 8908 W Greenfield Ave West Allis, WI N/A

Offender: N/A

Offender Address: N/A

Offender: N/A

Offender Address: N/A

Additional Offenders listed in Incident Report narrative: Yes No

Reviewed by Commanding Officer: Captain C. 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:



**City of West Allis
Police Department**

Liquor Establishment Violation

Date: 12/25/2014
To: Lieutenant Jessica Johnson
From: Officer D. Foy

Violation Type

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

Incident #: 14-011456 N/A

Location: 8812 W Greenfield Ave N/A

Establishment Name: Stallis Palace N/A

Establishment License #: 1956 N/A

Establishment Owner: RACHEL L. WESENBERG, AGENT N/A

Owner Address: N/A

Violation(s): Carry Concealed Weapon, Go Armed while Intoxicated, Carry Handgun Alcohol Sold/Consumed N/A

Offender: Adam L Malmquist N/A

Offender Address: 6631 W Beloit Rd West Allis, WI N/A

Offender: Mark S. Shallows N/A

Offender Address: 8908 W Greenfield Ave West Allis, WI N/A

Offender: N/A

Offender Address: N/A

Offender: N/A

Offender Address: N/A

Additional Offenders listed in Incident Report narrative: Yes No

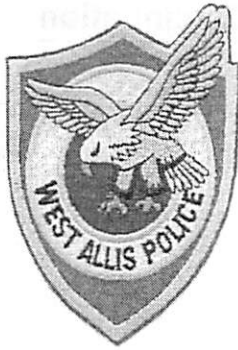
Reviewed by Commanding Officer: Captain C. Marks

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: 12/25/2014
CFS Code-1: 5212
Incident Report Number: 14-011456

Incident:
Possession of Weapon

Incident Report Number: 14-011456
Between: Date - Time
And/At: Date-Time 12/25/14 01:11

Incident Location:
8900 W Greenfield Ave;WA, West Allis, WI, 53214

CFS Code-1: 5212	CFS Code-2: 90Z4	CFS Code-3:	Offense Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

O	Name (Last, First, Middle) Malmquist, Adam Lee	DOB: 07/30/1980	Race/Sex W/M
Address: (Address, City, State, Zip) 6631 W Beloit Rd;WA, West Allis, WI, 53219			Home Phone Number (414) 213-4700

Employer	Work Phone Number
Employer Address	Cell Phone Number (414) 213-7401

O	Name (Last, First, Middle) Shallow, Mark S	DOB: 08/13/1959	Race/Sex W/M
Address: (Address, City, State, Zip) 8908 W Greenfield Ave, West Allis, WI, 53214			Home Phone Number
Employer	Work Phone Number (414) 476-1553		
Employer Address	Cell Phone Number (414) 430-3249		

SUMMARY

On 12/25/14 at 0111hrs officers responded to Larry Michael's, 8900 W Greenfield Ave for a report of an incident with a firearm. Investigation revealed an incident occurred between Adam L. Malmquist, M/W 7/30/80, and Mark S. Shallow, M/W 8/13/59, within Larry Michaels where Malmquist ended up in possession of a firearm that Shallow had originally brought into the bar. Malmquist then took the firearm and went to Stallis Palace where he continued to consume alcohol. Officers eventually took both parties into custody, and booked each for CCW, Go armed while intoxicated, and carrying handgun - alcohol sold/consumed. Shallow also held a warrant through DOC. Malmquist was given an order in for 1/29/15 at 0830hrs.

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

License Number:	State:	Expiration Year:	Vin:	Insurance Company:
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Other Vehicle Information:	NCIC#
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Reporting Officer(s): Foy, Daniel	Payroll Number: 9903	Payroll Number:	Report Date:
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Time Received: 01:11:38	Time Cleared: 03:21:31	Unit(s) Assigned: 310. 311. 312. 313. 314.	Pages: 1 Of 5
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Reviewed by: Marks, Christopher	Payroll Number 9075	Copy To
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West Allis Police Department

Continuation

Incident Report Number
14-011456

Incident Location:
8900 W Greenfield Ave;WA, West Allis, WI, 53214

Incident Date:
12/25/2014

NAMES

Business-1

Larry Michaels Club & Cafe
of 8900 W Greenfield Ave
West Allis,WI,53214
Work Phone:(414) 453-9211

Business-2

Stallis Palace
of 8812 W Greenfield Ave
West Allis,WI,53214

NARRATIVE

Officer Foy reports...

DISPATCH TO CALL/ARRIVAL ON SCENE

On 12/25/14 at 0111hrs officers responded to Larry Michael's, 8900 W Greenfield Ave for a report of an incident involving a firearm. I arrived on scene with Officer Martin and spoke with officers regarding the current location of the firearm used in the incident. I was advised that an individual identified as Adam Malmquist was in possession of the firearm and was currently inside of Stallis Palace, 8812 W Greenfield Ave. I was advised that Malmquist was inside of the bar wearing a blue Ralph Lauren vest.

I made contact inside of the business and was unable to locate anyone matching the immediate description of the Malmquist. After exiting the bar, a male matching the description came out and stood next to Officer Martin. Officer Martin then asked the male again if his name was Malmquist, and he responded "yes". The male then signaled for officers to walk to the side of the business to discuss the incident that occurred at Larry Michael's.

STATEMENT OF OFFENDER - ADAM MALMOUIST

I walked to the side of the business with Malmquist and spoke with him regarding his involvement. Malmquist stated he initially lied about his name because he did not know what to do. Immediately Malmquist advised he had some sort of involvement with the incident. Based upon this I asked him immediately if he had

Reporting Officer(s):
Foy, Daniel

ID Number
9903

ID Number

Pages:
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West Allis Police Department

Continuation

Incident Report Number
14-011456

Incident Location:
8900 W Greenfield Ave;WA, West Allis, WI, 53214

Incident Date:
12/25/2014

possession of the firearm involved or knowledge of its current location. Malmquist took his left hand and point to the left pocket of the vest he was wearing. Officer Martin removed the gun from his pocket and secured the weapon.

I then spoke with Malmquist regarding the incident. Malmquist stated he was at Larry Michael's earlier in the night visiting his girlfriend, who was bartending, when he observed a male, who he knew as Mark Shallow, inside of the bar causing problems. Malmquist stated he has never met Shallow before but knows of him because he owns the jewelry store across the street and that his girlfriend knows who he is. Malmquist stated he observed Shallow having an argument with a male wearing a camouflage shirt.

Malmquist stated he brought Shallow outside of the bar to have a cigarette and attempted to calm him down. Malmquist stated he was outside with Shallow when Shallow began to tell him about the man wearing camouflage, whom Shallow stated was a "biker". Malmquist stated he went back inside with Shallow and continued on with the night. Malmquist stated he observed Shallow continuing to start a physical fight with the man in camouflage, but observed that the fight never occurred.

Malmquist stated he sat at the bar for approximately 10 minutes before Shallow came up to him. Malmquist stated he felt something under his chin. Malmquist stated he did not know what the item was but felt it first before he saw anything. Malmquist saw Shallow was holding the item with his (Shallow's) left hand and that he grabbed Shallow's wrist immediately. Malmquist stated the item was pointed upwards below his chin. Malmquist stated he began to hit Shallow's wrist in order to remove the item from his hand.

Malmquist was able to remove the item, which he determined to be a firearm, from Shallow's hand after striking Shallow several times at his wrist until Shallow let go of the firearm. Malmquist stated he never heard Shallow make any statements during the altercation. Malmquist stated he took the firearm and yelled to the bartender, opposite from his girlfriend working, to call 911. Malmquist stated he left the bar and walked outside to the vehicle to attempt to make the firearm safe. Malmquist has no knowledge of why Shallow would hold a firearm up to his chin.

Malmquist took the firearm to his vehicle, however was unable to make the firearm safe. Malmquist stated he did not know how to work the action for the firearm so he placed it back in his pocket. Malmquist stated he went to Stallis Palace, 8812 W Greenfield Ave, to consume one alcoholic drink. Malmquist stated he planned on placing the firearm in his vehicle after he finished the drink. Malmquist admitted to knowingly possessing the firearm inside of the business for approximately three minutes until police made contact with him.

When I asked Malmquist why he didn't called 911, he responded stating "I told the bartender to call 911". While speaking with Malmquist I detected a strong odor of

Reporting Officer(s):
Foy, Daniel

ID Number
9903

ID Number

Pages:
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West Allis Police Department**Continuation**Incident Report Number
14-011456Incident Location:
8900 W Greenfield Ave;WA, West Allis, WI, 53214Incident Date:
12/25/2014

intoxicants emitting from his breath. Malmquist displayed red, glassy eyes and he slurred his speech whenever he spoke with me. Based upon my observations I believed Malmquist to be highly intoxicated.

ARREST DECISION

Based upon the presence of a firearm located on Malmquist's person, the strong odor of intoxicants emitting from his breath, and the fact he was in possession of a firearm inside of the tavern, I placed him into custody and transported him to the main station for a booking process.

A check was complete to see if Malmquist was a concealed weapons permit holder and I was advised that he was not. Malmquist also denied having ever applied for one.

IN CUSTODY STATEMENT OF OFFENDER - ADAM MALMQUIST

On 12/25/14 at 0227hrs in Interview Room A, I read Malmquist his Miranda Rights from WAPD Directive 42.016. In response to waiver questions, Malmquist stated he understood his rights and refused to speak with me at the time. Malmquist specifically stated he wanted to speak with his friend, who is a judge and a lawyer prior to speaking with me.

The interview concluded at 0230hrs. The interview was recorded using WAPD Olympus Digital Voice Recorder. I turned the memory card over to Officer Carlson to complete her interview and eventually place the memory card in an envelope and secured it in the ID Bureau drawer.

INTOXIMETER OPERATOR REPORT

I read a WAPD Consent form for a breath sample to Malmquist regarding obtaining a breath sample via the use of an Intoximeter. Malmquist stated he understood the form and I had Malmquist circle the "Yes" box and sign the form.

I administered the Intoximeter to Malmquist. I observed Malmquist for the 20-minute observation period from 0255 to 0315.

I gave Malmquist a basic instruction of the Intoximeter test. I informed him that he would be required to give at least two adequate samples of his breath. Malmquist stated that he understood and had no questions. Initially, Malmquist argued with officers over the arrest and the test initially timed out. After Malmquist calmed down again he was able to provide his first breath sample. At 0322hrs, Malmquist gave his first accepted breath sample of .223. At 0221hrs, Malmquist gave his second accepted breath sample of .221. His reported value was .22 g/210L. I explained the breath test results to Malmquist and he did not have any questions.

Reporting Officer(s):
Foy, DanielID Number
9903

ID Number

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West Allis Police Department**Continuation**Incident Report Number
14-011456Incident Location:
8900 W Greenfield Ave;WA, West Allis, WI, 53214Incident Date:
12/25/2014

During my contact with Malmquist I detected a strong odor of an intoxicant on his breath, slurred speech and red and glassy eyes. Based on my observations, training and experience as a police officer, I believe Adam Malmquist was under the influence of an intoxicant. Malmquist was cooperative with me during the breath test.

PILL ID

I identified the prescription pills that were recovered from Malmquist during this investigation. The pills were rectangular in shape, white in color, and had the markings "TV 1003" on one side and "5 5 5" on the other. Using the website http://www.drugs.com/pill_identification.html as a means of drug identification, these pills were identified as Buspirone 15mg, not a DEA Schedule controlled substance however required a prescription for possession. I packaged the pill into a manilla paper envelope and placed it on property.

Malmquist advised that he had a valid prescription for the Buspirone but he combined the pill into his Alprazolam bottle because he did not want to carry additional medications bottles around with him.

TAVERN LICENSES

The following are the licenses numbers for each business involved: Larry Michael's Pub and Cafe: 472. Stallis Palace: 1956

BOOKING

I booked Malmquist using WAPD Booking #14-005988 for the following statutes: Carrying a Concealed Weapon under 941.23, Go Armed with Firearm While Intoxicated under 941.20(1)(b) and Carry Handgun-Alcohol Sold/Consumed under 941.237(2).

Malmquist was given an order in date of 1/29/15 at 0830hrs.

CASE DISPOSITION

Malmquist was provided an order in date of 1/29/15 at 0830hrs regarding the incident. Malmquist was released from the main station where he called for a cab service to give him a ride home.

Reporting Officer(s):
Foy, DanielID Number
9903

ID Number

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West Allis Police Department

Supplementary Report

Incident Report Number 14-011456	Incident Location: 8900 W Greenfield Ave;WA, West Allis, WI, 53214	Incident Date: 12/25/2014
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

OTHER NAMES

Shallow, Mark S W/M-55 of 8908 W Greenfield Ave
 West Allis, WI, 53214
 DOB: 08/13/1959
 HT: 510 WT: 150 Hair: Red Or Auburn
 Eyes: Hazel Complexion: Fair
 Cell Phone: (414) 430-3249 Work Phone: (414) 476-1553

Malmquist, Adam Lee W/M-34 of 6631 W Beloit Rd;WA
 West Allis, WI, 53219
 DOB: 07/30/1980
 HT: 511 WT: 205 Hair: Brown
 Eyes: Brown
 Cell Phone: (414) 213-7401 Home Phone: (414) 213-4700

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
=====				
14-009236				
1	EVI	Cobray	1 - Black FMJ Cobray Model D.45/ 410 Derringer with appr. 2" barrel	1.000 \$100.00
	[Recovered]	.45	4523617	
2	EVI	Colt	1 -P.M.C. Colt .45 caliber bullet	1.000 \$0.20 [Recovered]

Reporting Officer(s): Agor, Ramon	Payroll Number: 9901	Payroll Number:	Report Date: 12/25/2014
Reviewed by: Marks, Christopher	Payroll Number: 9075	Copy To:	1 Of 1

West Allis Police Department

Supplementary Report

Incident Report Number: 14-011456	Incident Location: 8900 W Greenfield Ave;WA, West Allis, WI, 53214	Incident Date: 12/25/2014
New Incident:	Original CFS Code - 1:	New CFS Code - 1: New CFS Code - 2:

NAMES

Contact

Galaska, Ronald K W/M-51
of 8910 W Greenfield Ave
West Allis, WI, 53214
DOB: 03/18/1963 DL: G420-7316-3098-08
HT: 511 WT: 245 Hair: Brown
Eyes: Hazel
Home Phone: (414) 737-0262

NARRATIVE

Officer Agor reports...

INITIAL CALL

On 12-25-14 at 0111 hours, officers responded to Larry Michael's, located at 8900 W. Greenfield Ave., for an incident with a firearm. Upon arrival, I made contact with the caller identified as Ronald K. Galaska (M/W 03-18-63).

CONTACT WITH RONALD K. GALASKA (CALLER)

Ronald reported while he was in Larry Michael's he overheard three other patrons, all names unknown, speaking about Mark S. Shallow (M/W 08-13-59). He overheard all three unknown subjects talk about an incident that occurred earlier in the night inside the bar with Mark, during which an intoxicated Mark took a handgun pointed it under his own chin, then pointed it at another patron. Ronald also overheard another patron was able to take the firearm from Mark, and eventually Mark was escorted home.

Ronald reported he has known Mark for several years and was worried for Mark's safety. Ronald also informed me that Mark has several different kinds of firearms in his residence, and that Mark has a history of threatening his own life.

TAKING CUSTODY OF HAND GUN

After I made contact with Ronald, Officer Steven Martin turned a firearm over to my custody. The firearm was later identified as a black single shot FMJ ~~Cobra Model D.45/ 410 Derringer. Officer Martin made the firearm safe and~~

Reporting Officer(s): Agor, Ramon	Payroll Number: 9901	Payroll Number:	Report Date: 12/25/2014
Reviewed by: Kempinski, Michael J.	Payroll Number: 9604	Copy To:	1 Of 2

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14-011456Incident Location:
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12/25/2014

unloaded a single P.M.C. Colt .45 caliber bullet from the firearm. I conveyed the firearm and ammunition to the West Allis police station and placed it on property under #14-009236.

PRELIMINARY BREATH TEST (PBT) OF MARK S. SHALLOW (OFFENDER)

While in the West Allis police station booking room, I asked Mark if he would be willing to perform a PBT. Mark voluntarily agreed to perform said test. On 12-25-14 at approximately 0505 hours, I conducted the PBT on Mark. Mark's test result was .266.

Reporting Officer(s):

Agor, Ramon

ID Number

9901

ID Number

Pages:

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West Allis Police Department

Supplementary Report

Incident Report Number 14-011456	Incident Location: 8900 W Greenfield Ave;WA, West Allis, WI, 53214	Incident Date: 12/25/2014
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:
NARRATIVE		
INITIAL RESPONSE		
<p>On 12/25/14, I responded to Larry Michaels Tavern, located at 8900 W Greenfield Ave. During the investigation, I responded to the Stallis Palace, located 8812 W Greenfield Ave, in order to make contact with Adam L. Malmquist, M/W 07/30/80.</p>		
CONTACT WITH ADAM L. MALMQUIST 07/30/80		
<p>Officer Fletcher and I looked for Malmquist inside the tavern. I approached a M/W sitting at the bar wearing a red vest and drinking what appeared to be an intoxicating drink, who matched the description I was provided of Malmquist. I asked if he was "Adam." He stated he was not. I waited at the tavern while Officer Fletcher went back to Larry Michaels in order to verify the description. Officer Fletcher radioed me that Malmquist was the person I had contact with. As I waited for Officer Fletcher to return, Malmquist exited the tavern.</p>		
<p>Officer Foy and I asked him who he really was. Malmquist motioned me to walk away from the tavern door. I spoke to him alongside the east wall of the business. Malmquist admitted he lied about his information because he did not want to get anyone in trouble. I asked Malmquist if he had the firearm on his person. Malmquist told me the firearm was in his left pocket.</p>		
RECOVERY OF FIREARM		
<p>I recovered the Derringer style pistol from Malmquist's pocket. I removed a single brass unfired round from its breach. I then turned the firearm over to Officer Agor.</p>		
Reporting Officer(s): Martin, Steven	Payroll Number: 9895	Report Date: 12/25/2014
Reviewed by: Marks, Christopher	Payroll Number: 9075	Copy To: 1 Of 1

West Allis Police Department

Supplementary Report

Incident Report Number 14-011456	Incident Location: 8900 W Greenfield Ave;WA, West Allis, WI, 53214	Incident Date: 12/25/2014
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

OTHER NAMES

Malmquist, Adam Lee W/M-34 of 6631 W Beloit Rd;WA
 West Allis,WI,53219
 DOB: 07/30/1980
 HT: 511 WT: 205 Hair: Brown
 Eyes: Brown
 Cell Phone:(414) 213-7401 Home Phone:(414) 213-4700

West Allis Police Department of 11301 W Lincoln Ave
 West Allis,WI,53227
 Business Phone:(414) 302-8000

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
14-009237				
1	SEI		1 Unit of Buspirone hydrochloride 15 mg	1.000 \$0.00 [Recovered]

Reporting Officer(s): Foy, Daniel	Payroll Number: 9903	Payroll Number:	Report Dat : 12/25/2014
Reviewed by: Marks, Christopher	Payroll Number: 9075	Copy To:	1 Of 1

West Allis Police Department

Supplementary Report

Incident Report Number 14-011456	Incident Location: 8900 W Greenfield Ave;WA, West Allis, WI, 53214	Incident Date: 12/25/2014
New Incident:	Original CFS Code - 1:	New CFS Code - 1:
		New CFS Code - 2:

NAMES

Offender

Shallow, Mark S W/M-55
of 8908 W Greenfield Ave
West Allis, WI, 53214
DOB: 08/13/1959 DL: S400-5575-9293-03
HT: 510 WT: 150 Hair: Red Or Auburn
Eyes: Hazel Complexion: Fair
Cell Phone: (414) 430-3249 Work Phone: (414) 476-1553

Booking#: 14-005987

Case#	Charge	Description	Ct
14-011456	90Z4	Warrant Other Department	1
14-011456	941.20(1)(b)	Go Armed with Firearm While Intoxicated	1
14-011456	941.23	Carrying a Concealed Weapon	1
14-011456	941.237(2)	Carry Handgun-Alcohol Sold/Consumed	1

Contact

Frye, Alma A W/F-43
of 6631 W Beloit Rd;WA
West Allis, WI, 53219
DOB: 02/20/1971 DL: F600-0017-1560-02
Cell Phone: (414) 852-1888

NARRATIVE

Officer Carlson reports...

INITIAL CALL

On 12/25/14 at approximately 0111 hrs., officers responded to Larry Michael's (8900 W. Greenfield Ave) bar for a report of a man who held a firearm to another man's head. Upon arrival, it was determined the offender had left the

Reporting Officer(s): Carlson, Lete	Payroll Number: 9970	Payroll Number:	Report Dat : 12/25/2014
Reviewed by: Marks, Christopher	Payroll Number: 9075	Copy To:	1 Of 3

Incident Report Number
14-011456

Incident Location:
8900 W Greenfield Ave;WA, West Allis, WI, 53214

Incident Date:
12/25/2014

scene.

STATEMENT OF ALMA A. FRYE

On scene, I made contact with bartender Alma A. Frye, F/W, 02/20/79, who stated she was in the bathroom when the incident occurred. When Frye exited the bathroom, her boyfriend, Adam L. Malmquist was holding a firearm in his hand.

Malmquist informed Frye that Mark S. Shallow had pointed the firearm at this head and then pointed it at Jeffrey J. Fuch's head. Malmquist told Frye that he grabbed the firearm and took it away from Shallow. Malmquist then walked outside of the bar to disarm the weapon. Frye stated Malmquist was supposed to place it into Frye's vehicle which was located in the parking lot. Frye was unaware that Malmquist did not put the firearm in her vehicle.

I asked Frye about the offender Shallow, and she stated he was a regular at the bar. When Shallow was at the bar this evening, Frye served him 2 beers. Frye stated Shallow was "mouthy" with the patrons and appeared to be upset/angry but she did not know why. Frye did not see Shallow leave the bar.

TRANSPORT

Once Shallow was taken into custody, I placed him into the vehicle and transported him to the station for the booking process.

STATEMENT OF MARK S. SHALLOW

I placed Shallow into Interview room B of the booking room. I read Shallow his Miranda Rights and during the course of explaining it Shallow stated he would talk to me as well as talk to an attorney.

BOOKING

I booked Shallow for: go arm with a firearm while intoxicated, carrying a concealed weapon, and carry handgun-alcohol sold/consumed. While fingerprinting Shallow he asked numerous times why he was arrested. I informed him each time of the charges he was arrested for. Shallow then informed me he wanted to talk about what had occurred this evening because he did not have a firearm on his person.

STATEMENT OF MARK S. SHALLOW

After completing the booking process, I again placed Shallow into Interview room B of the booking room. I again Mirandized Shallow who agreed to provide a statement without the presence of an attorney. I recorded the interview and

Reporting Officer(s):
Carlson, Lete

ID Number
9970

ID Number

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West Allis Police Department

Continuation

Incident Report Number
14-011456Incident Location:
8900 W Greenfield Ave;WA, West Allis, WI, 53214Incident Date:
12/25/2014

placed it on a memory card and turned it over to FTSB. The following is a summary of the statement Shallow provided:

Shallow stated he was at Larry Michael's this evening and returned to his residence sometime later. Shallow stated he drank a "couple of pints of Miller Lite" while he was at the bar. Shallow did not drink alcohol at his residence this evening and he does not have alcohol in his home. Shallow denied getting in an argument with anyone while at Larry Michael's and that he went to the bar alone. Shallow denied taking a firearm out of his residence this evening or taking a firearm to the bar.

Shallow stated that he was having an intimate relationship with Malmquist's girlfriend, Frye, and Malmquist was "not happy about it". Shallow believes he is being blamed for the incidents because of Malmquist.

Shallow left the front door of his residence open as well as unlocked and the back door was unlocked as well. Shallow then changed his story and stated the front door was closed but unlocked. Shallow keeps his residence unlocked because, "everyone knows not to fuck with me".

I again asked Shallow about bringing a firearm to Larry Michael's and he stated the firearm could have been a lighter that looked like a firearm. Shallow again denied having a firearm on him or pointing it at anyone.

Shallow believes someone may have set him up because people are "pissed at him". I asked which "people," and he stated his "ex-girlfriends". I asked Shallow if they (ex-girlfriends) would take his gun from his residence this evening and put it in his hand, and he stated they have before.

Shallow again informed me that Malmquist "set this up" because Frye wanted to have a relationship with him. Shallow repeatedly stated he never put a gun to anyone's head and did not do anything wrong this evening.

RELEASE

I informed Shallow he needed to report to circuit court on 01/19/15 regarding the offenses he was arrested for this evening. Shallow had an outstanding warrant with MCSO and was turned over to their agency.

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Carlson, LeteID Number
9970

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