



City of West Allis

Matter Summary

File Number	Title	Current Status
2019-0009	Report	Introduced
Police Department Report regarding tavern violations/calls for service for the month of December 2018.		
Introduced: 1/15/2019		Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION

ACTION DATE: 1-15-19

- ☐ Approved
☐ Approved as amended
☐ Approved subject to necessary requirements
☒ Placed on file
☐ Denied
(based on _____)
☐ Other: _____

MOVER	SECONDER	
_____	_____	Barczak
_____	_____	Czaplewski
_____	_____	Euteneier
_____	_____	Haass
_____	_____	Lajsic
_____	_____	May
_____	_____	Reinke
_____	_____	Roadt
_____	_____	Vitale
_____	_____	Weigel

AYE	NO	PRESENT	EXCUSED
X			
X			
X			
X			

TOTAL 5 0

SIGNATURE OF COMMITTEE MEMBER

Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

ACTION DATE: 1/15/19

- ☐ Approved
☐ Approved as amended
☐ Approved subject to necessary requirements
☒ Placed on file
☐ Denied
(based on _____)
☐ Other: _____

MOVER	SECONDER	
_____	_____	Barczak
_____	_____	Czaplewski
_____	_____	Euteneier
_____	_____	Haass
_____	_____	Lajsic
_____	_____	May
_____	_____	Reinke
_____	_____	Roadt
_____	_____	Vitale
_____	_____	Weigel

AYE	NO	PRESENT	EXCUSED
			X

TOTAL 109 1

STANDING COMMITTEES OF THE CITY OF WEST ALLIS COMMON COUNCIL

ADMINISTRATION & FINANCE

Chair: Kevin Haass
Vice-Chair: Martin J. Weigel
Michael J. Czaplewski
Michael P. May
Daniel J. Roadt

PUBLIC WORKS

Chair: Gary T. Barczak
Vice-Chair: Vincent Vitale
Eric Euteneier
Thomas G. Lajsic
Rosalie L. Reinke

SAFETY & DEVELOPMENT

Chair: Thomas G. Lajsic
Vice-Chair: Eric Euteneier
Gary T. Barczak
Rosalie L. Reinke
Vincent Vitale

LICENSE & HEALTH

Chair: Michael J. Czaplewski
Vice-Chair: Daniel J. Roadt
Kevin Haass
Michael P. May
Martin J. Weigel

ADVISORY

Chair: Rosalie L. Reinke
Vice-Chair: Michael P. May
Eric Euteneier
Thomas G. Lajsic
Vincent Vitale



DEPARTMENT OF POLICE

Patrick S. Mitchell
Chief of Police

Robert Fletcher
Deputy Chief of Police

Christopher Botsch
Deputy Chief of Police

4 January 2019

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 December 2018:

INCIDENT REPORTS:

TAVERN RELATED INCIDENTS NOT REQUIRING INCIDENT REPORT:

CALL #18-049563// 4 December 2018 at 2224hrs// El Sagitario 907 S. 84th St
NO TAVERN VIOLATION

Caller: Viridiana P. Hernandez

Disorderly Conduct: PO ISKANDARANI REPORTS:

On 12/04/2018 at approx. 2224hrs, officers responded to investigate a trouble call near S 84th St / W Walker St. Upon arrival it was determined to be an unknown problem at the new tavern called "El Sagitario" located at 907 S 84th St. Upon arrival, contact was made with Lindsey Shanklin F/W 06/28/2003 who was crying on the floor in the bar. She would not say what was wrong or what happened. I spoke with the bartender Viridiana P Hernandez F/H 04/10/1986 who advised of no problems in the bar. Patrons stated Lindsey fell over and was crying for an unknown reason. They stated she was special needs and she was not of age to be in the tavern. I made contact with the tavern owner Pascual Ramos M/H 06/28/1981 who was advised of the issue and asked that Lindsey was removed from the business and to be permanently banned. Lindsey's mother Sueann C Shanklin F/W 12/13/1961 arrived and removed her daughter without incident. Based on the nature of the incident I will be completing a tavern violation report.

CALL #18-049673// 5 December 2018 at 2129hrs// Bug N Out tavern 5630 W Lincoln Ave

Caller: Alyssa Pumphrey

Trouble Call: Officer Poklasny reports...

On 12/05/18 at 2129 hours, officers responded to the Bug N Out tavern located at 5630 W Lincoln Ave for a trouble call. The bartender, Alyssa L Pumphrey, F/B, 12/11/98, called police after two male parties were involved in a physical altercation inside the tavern. I spoke with Aaron R Thompson (M/W, 01/13/88) who witnessed a male later identified as Santos V Burdohan (M/W, 01/14/79) instigated an altercation with another male only known as "Adam" after both were inside the tavern. Santos was visibly intoxicated and began to yell at Adam. Santos pushed Adam as he was trying to back away. Both parties then struggled with each other resulting in Santos being punched in the face. Santos had a minor scrape on his face and was bleeding, however denied any medical attention. The other party left prior to police arrival and was not located. Staff at the bar did not want anything done about the incident and only wanted Santos removed from the tavern. Santos was escorted outside and left the property without incident. There were no other problems and a tavern form was completed in the Q/A tab.

CASE #18-049827// 6 December 2018 2319hrs Braun's Power House 7100 W. National Ave

Caller: Officer Schweitzer

Tavern/Bartender violation: Officer Schweitzer reports...Tavern Report at Braun's Power House, 7100 W National Ave on 12/06/18 at approximately 2359hrs.

While conducting a tavern check at Braun's Power House, the bartender Ashley R Schweda, F/W, 01/04/94 did not hold a West Allis bartenders license. The tavern was shut down for the remainder of the night and Ashley was issued a municipal citation for Operate Licensed Premises w/o Licensed Person. An initial appearance in local court has been set for 01/14/19.

CASE #18-051924// 22 December 2018 at 1728hrs// El Sagitario 907 S. 84 St

Caller: Viridiana P. Hernandez

Procure/Attempt Alcohol by Person Under 17:

On 12/22/18 at approx. 1728 hrs., officers were dispatched to El Sagitario, 907 S. 84 St., for an underage female at the bar. Investigation revealed Lindsey Shanklin, F/W 06/28/03, was at the bar and attempted to obtain a margarita. Lindsey was advised she would receive a citation, and Lindsey's mother continued in her attempts to get Lindsey into their vehicle. There were no further problems.

CASE #18-052369// 27 December 2018 at 0217hrs// Heartbreakers 9440 W. National Ave

Caller: Telderer Jackson

Endanger Safety By Use of Dangerous Weapon: Officer Vanden Boogard reports.... *E.S.B.U. O.D.W - armed while intox. & E.S.B.U.O.D.W. - pointing and aiming*

On 12/27/18 at approximately 0217hrs, Officers responded to the 2100blk of S. 95 St. for reports of shots fired. Investigation revealed Martin A. Resendez, M/H 04/10/71, was the passenger of a vehicle parked in front of heartbreakers when he racked the slide of his firearm and pointed it at two victims. The victim's ran away, however minutes later they observed the vehicle driving down the 9400blk of W. Becher St, when one of the victim's observed Resendez discharging the firearm up into the air. Resendez and the driver of the vehicle, Juan M. San Miguel, M/H 09/17/86, were located driving in West Milwaukee and taken into custody. Resendez showed signs of impairment, performed poorly on SFST's, and refused to provide a breath sample. A warrant was obtained and a blood draw was completed. Resendez was booked for ESBDOUOW armed while intoxicated and pointing and aiming and he posted bail and was released. DA review is set for 12/28/18 at 0830hrs.

Tobacco and Alcohol/ Tavern Compliance Checks

Tobacco compliance checks:
18-052393

PO ISKANDARANI REPORTS:

****** Tobacco Compliance Check ******

On 12/27/2018 from approx. 1100-1500hrs, the West Allis Police Department conducted a "Tobacco Compliance Check" at twelve (12) randomly selected businesses that have a license to sell tobacco products. The check was completed through the use of a 17 year old male who attempted to purchase a pack of nicotine products at each of the business with authorization from the Police Department. All twelve (12) of the businesses denied the transaction and requested identification from the juvenile male.

Alcohol compliance checks:
NO VIOLATIONS DURING THE MONTH OF DECEMBER 2018

Tavern compliance checks:

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

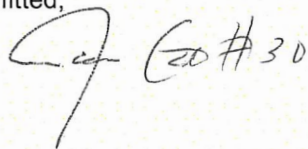
Officers trained in Class B tavern compliance checks performed 27 tavern checks at randomly selected taverns in the month of December 2018. 1 tavern (Braun's Powerhouse) was found to be operating without a licensed bartender.

Violation of Wisconsin Clean Air Act Smoking Ban:

No violations reported during this reporting period.

Respectfully submitted,

Sgt. James Cato



01/02/2019 8:44

** For official use only **

WEST ALLIS POLICE DEPARTMENT

11301 W LINCOLN AVE | WEST ALLIS, WI 53227 | (414) 302-8000

Tavern Report List



Case Number:

Officer Name

Report Date

2018049563

Iskandarani, Alexander

12/4/18

2018049673

Poklasny, Scott

12/5/18

2018049827

Schweitzer, Adam

12/6/18

2018051924

Mussatti, Kevyn

12/22/18

2018052369

Vanden Boogard, Bret

12/27/18

01/02/2019 9:38
** For official use only **

WEST ALLIS POLICE DEPARTMENT
11301 W LINCOLN AVE | WEST ALLIS, WI 53227 | (414) 302-8000
Liquor Establishment Violation



Date: 12/7/18
To: Sargeant James Cato
From: Iskandarani, Alexander

Caller/Complainant: Viridiana P Hernandez F/H 04/10/1986 (Bartender)

Violation Type

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

Case #:
Location: 907 S 84th St
Establishment Name: EL SAGITARIO BNC
Establishment License # 2559
Establishment Owner RASCUAL RAMOS
Owner Address 907 S 84th St

Violation(s):

On 12/04/2018 at approx. 2224hrs, officers responded to investigate a trouble call near S 84th St / W Walker St. Upon arrival it was determined to be an unknown problem at the new tavern called "El Sagitario" located at 907 S 84th St. Upon arrival, contact was made with Lindsey Shanklin F/W 06/28/2003 who was crying on the floor in the bar. She would not say what was wrong or what happened. I spoke with the bartender Viridiana P Hernandez F/H 04/10/1986 who advised of no problems.

Offenders

Commanding Officer Signature: _____

Reviewed by Deputy Chief Robert Fletcher:

**18.049563****Trouble Call**Disposition **Cleared/No Report**
Unit **222**

12/04/18 22:2348 907 S 84 St

Officer **AI9965****CAD Comments**

364-1926- at the bar screaming

Call Back Information : 4145110086

Dispatched: 224

No weapons

no ambulance

4 people

Dispatched: 213

Dispatched: 228, 222

Lindsey shanklin

2nd caller 262 385 1387 nyshka not on scene

caller stating lindsey is causing a disturbance

2nd caller states the bar 907 s 84th st

Dispatched: 214

Loc changed from {S 84 St/W Walker St;WA} to {907 S 84 St;WA;El Sagitario;WA}

Dispatched: 223

Dispatched: 211

Made contact with SueAnn

Prime Unit Changed to - 222

PO ISKANDARANI REPORTS:

On 12/04/2018 at approx. 2224hrs, officers responded to investigate a trouble call near S 84th St / W Walker St. Upon arrival it was determined to be an unknown problem at the new tavern called "El Sagitario" located at 907 S 84th St. Upon arrival, contact was made with Lindsey Shanklin F/W 06/28/2003 who was crying on the floor in the bar. She would not say what was wrong or what happened. I spoke with the bartender Viridiana P Hernandez F/H 04/10/1986 who advised of no problems in the bar. Patrons stated Lindsey fell over and was crying for an unknown reason. They stated she was special needs and she was not of age to be in the tavern. I made contact with the tavern owner Pascual Ramos M/H 06/28/1981 who was advised of the issue and asked that Lindsey was removed from the business and to be permanently banned. Lindsey's mother Sueann C Shanklin F/W 12/13/1961 arrived and removed her daughter without incident. Based on the nature of the incident I will be completing a tavern violation report.

El Sagitario907 S 84 St
West Allis. WI 53214**T-mobile Usa**

West Allis. WI 53227

Shanklin, LindseyF W 06/28/2003
856 S 86 ST;WA
WEST ALLIS. WI 53214**Hernandez, Viridiana Perez**F W 04/10/1986
1221 S 25th St
Milwaukee, WI 53204**Ramos, Pascual**M W 06/28/1981
907 S 84 St
West Allis. WI 53214**Shanklin, Sueann C**F W 12/13/1961
856 S 86 St
West Allis. WI 53214

01/02/2019 9:42

** For official use only **

WEST ALLIS POLICE DEPARTMENT

11301 W LINCOLN AVE | WEST ALLIS, WI 53227 | (414) 302-8000

Liquor Establishment Violation



Date: 12/7/18

To: Sargeant James Cato

From: Poklasny, Scott

Caller/Complainant: Alyssa Pumphrey

Violation Type

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

Case #:

Location: 5630 W Lincoln Ave

Establishment Name: Bug N Out

Establishment License # 2460

Establishment Owner Amy E Burns

Owner Address 6524 W Girard St, Milwaukee

Violation(s):

Argument and minor physical altercation between two males parties, no tavern related issue.

Offenders

Commanding Officer Signature: _____

Reviewed by Deputy Chief Robert Fletcher:



18.049673

Disorderly Conduct

Disposition **Cleared/No Report**
Unit **217**

12/05/18 21:2949 5630 W Lincoln Ave

Officer **SP2599**

CAD Comments

429-2719- fight- 2 people- blood
Call Back Information : 4145114878
Dispatched: 217
Dispatched: 223, 226
Facial injuries
One person involved is intox- party who started it is Santos
Santos wearing black coat and jeans
other party has all black
Stopped fighting at this point but she thinks santos is going to leave
Per 223 party was armed with pepper spray during last contact
per 223 last time he had pepper spray
They are close to the front door
Caller doesnt think they need an ambulance
Dispatched: 206
Caller is Alyssa- bartenderr
CFS from -> TC to DC

Officer Poklasny reports...

On 12/05/18 at 2129 hours, officers responded to the Bug N Out tavern located at 5630 W Lincoln Ave for a trouble call. The bartender, Alyssa L Pumphrey, F/B, 12/11/98, called police after two male parties were involved in a physical altercation inside the tavern. I spoke with Aaron R Thompson (M/W,01/13/88) who witnessed a male later identified as Santos V Burdohan (M/W,01/14/79) instigated an altercation with another male only known as "Adam" after both were inside the tavern. Santos was visibly intoxicated and began to yell at Adam. Santos pushed Adam as he was trying to back away. Both parties then struggled with each other resulting in Santos being punched in the face. Santos had a minor scrape on his face and was bleeding, however denied any medical attention. The other party left prior to police arrival and was not located. Staff at the bar did not want anything done about the incident and only wanted Santos removed from the tavern. Santos was escorted outside and left the property without incident. There were no other problems and a tavern form was completed in the Q/A tab.

Bug N Out lounge

5630 W Lincoln Ave
West Allis, WI 53219

At&t Mobility

West Allis, WI 53214

Pumphrey, Alyssa J

F B 12/11/1998
5630 W Lincoln Ave
West Allis, WI 53219

Thompson, Aaron R

M W 01/13/1988
2167 S 56 St
West Allis, WI 53219

Burdohan, Santos V

M W 01/14/1979
2973 S 6 St
Milwaukee, WI 53215

01/02/2019 9:44

** For official use only **

WEST ALLIS POLICE DEPARTMENT

11301 W LINCOLN AVE | WEST ALLIS, WI 53227 | (414) 302-8000

Liquor Establishment Violation



Date: 12/7/18

To: Sergeant James Cato

From: Schweitzer, Adam

Caller/Complainant: N/A

Violation Type

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

Case #: 2018049827
Location: 7100 W National Ave
Establishment Name: Braun's Power House
Establishment License # 18-0002152
Establishment Owner Joseph S Braun
Owner Address 5490 S Nicolet Dr

Violation(s):

Operate Licensed Premises w/o Licensed Person

Offenders

Commanding Officer Signature: _____

Reviewed by Deputy Chief Robert Fletcher:

		West Allis Police Department		Incident Report			
		Incident: Liquor Laws: Tavern Violatons					
		Incident Report Number: 18-049827		Between: Date - Time		And/At: Date-Time 12/6/18 23:59	
		Incident Location: 7100 W National Ave, West Allis, WI, 53214					
		CFS Code-1: 4199B		CFS Code-2: ZTG9589		CFS Code-3:	
CFS Code-5:		CFS Code-6:		CFS Code-7:		CFS Code-8:	
FO		Name (Last, First, Middle) Braun, Joseph S		DOB: 10/15/1965		Race/Sex W/M	
Address: (Address, City, State, Zip) 5490 S Nicolet Dr, New Berlin, WI, 53151						Home Phone Number	
Employer						Work Phone Number	
Employer Address						Cell Phone Number (414) 455-8700	
O		Name (Last, First, Middle) Schweda, Ashley R		DOB: 01/04/1994		Race/Sex H/F	
Address: (Address, City, State, Zip) 1465 S 76TH ST, WEST ALLIS, WI, 53214						Home Phone Number	
Employer						Work Phone Number	
Employer Address						Cell Phone Number (414) 759-2827	
<p>SUMMARY</p> <p>Officer Schweitzer reports...Tavern Report at Braun's Power House, 7100 W National Ave on 12/06/18 at approximately 2359hrs.</p> <p>While conducting a tavern check at Braun's Power House, the bartender Ashley R Schweda, F/W, 01/04/94 did not hold a West Allis bartenders license. The tavern was shut down for the remainder of the night and Ashley was issued a municipal citation for Operate Licensed Premises w/o Licensed Person. An initial appearance in local court has been set for 01/14/19.</p>							
Vehicle Information: (Year, Make, Model, Style, Color)							
License Number:		State:		Expiration Year:		Vin:	
						Insurance Company:	
Other Vehicle Information:						NCIC#	
Reporting Officer(s): Schweitzer, Adam				Payroll Number : 9905		Report Date: 12/07/2018	
Time Received: 23:59:20		Time Cleared: 00:14:54		Unit(s) Assigned: 322, 324		Pages: 1 Of 3	
Reviewed by: Clerical and Coding Manz, Tra				Payroll Number : 9656		Copy To	

Date:

12/07/2018

CFS Code-1: 4199B

Incident Report Number:

18-049827

West Allis Police Department**Continuation**

Incident Report Number

18-049827

Incident Location:

7100 W National Ave, West Allis, WI, 53214

Incident Date:

12/06/2018

NAMES**Business**

Braun's Power House of 7100 W National Ave;WA,West Allis,WI,53214

Work Phone:(414) 455-8700

NARRATIVE

At the time of this investigation I was wearing my WAPD issued body camera, which was functional and activated.

TAVERN CHECK

On 12/06/18 at approximately 2359hrs, I conducted a tavern check at Braun's Power House 7100 W National Ave.

CONTACT WITH BARTENDER

I made contact with the bartender, identified by WI/DL as Ashley R Schweda, F/W, 01/04/94. I advised Ashley I was conducting a tavern check and requested her bartenders license. Ashley advised she only had a Milwaukee bartenders license. I explained to Ashley that she needed a West Allis bartenders license not a Milwaukee license. There were no other bartenders on the premises. I advised Ashley she was unable to continue serving any customers and she needed to close the bar for the remainder of the evening.

There were approximately nine customers inside the bar. I asked Ashley to call the owner of the bar to advise him the bar would be closed due to her not having a valid bartender license. Ashley was able to make contact with the bar owner, who did not respond to the bar.

While on scene, I had Ashley sign a PR Bond and explained to her that I would be issuing her a citation. I remained on scene until all customers had closed their tabs and were exiting the bar.

The tavern license 18-00002152 issued 07/01/18 expires 06/30/19 was properly displayed where business was conducted.

ISSUANCE OF CITATION

I mailed Ashley Wisconsin Non Traffic Citation # 1S80CBQ6NH for Operate Licensed

Reporting Officer(s):

Schweitzer, Adam

Payroll Number :

9905

Pages:

2 Of 3

West Allis Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

18-049827

7100 W National Ave, West Allis, WI, 53214

12/06/2018

Premises w/o Licensed Person via US Mail.

CASE DISPOSITION

On 12/06/18 I completed a tavern check at Braun's Power House and the bartender Ashley R Schweda, F/W, 01/09/94 did not have valid West Allis bartenders license. Ashley was mailed a citation for Operate Licensed Premises w/o Licensed Person. A tavern report has been completed.

Reporting Officer(s):

Payroll Number:

Pages:

Schweitzer, Adam

9905

3 Of 3

01/02/2019 9:45

** For official use only **

WEST ALLIS POLICE DEPARTMENT

11301 W LINCOLN AVE | WEST ALLIS, WI 53227 | (414) 302-8000

Liquor Establishment Violation



Date: 12/22/18

To: Sargeant James Cato

From: Mussatti, Kevyn

Caller/Complainant: Viridiana P Hernandez

Violation Type

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

Case #: 2018051924
Location: 907 S 84 St
Establishment Name: El Sagitario
Establishment License # 17-2559
Establishment Owner Pascual Ramos
Owner Address 907 S 84 St

Violation(s):

Underage female (Lindsey Shanklin) entered business in an attempt to buy a margarita. She was denied by bartender and asked to leave, but refused.

Offenders

Commanding Officer Signature: _____

Reviewed by Deputy Chief Robert Fletcher:

West Allis Police Department		Incident Report	
			
Incident: Liquor Viol/Consumption			
Incident Report Number:	Between: Date - Time	And/At: Date-Time	
18-051924		12/22/18 17:25	
Incident Location: 907 S 84 St, West Allis, WI, 53214			
CFS Code-1:	CFS Code-2:	CFS Code-3:	Offense Code-4:
4199	ZJF9874		
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:
PAR	Name (Last, First, Middle) Shanklin, Sueann C	DOB: 12/13/1961	Race/Sex W/F
Address: (Address, City, State, Zip) 856 S 86 St, West Allis, WI, 53214			Home Phone Number (414) 455-3344
Employer			Work Phone Number (414) 453-0451
Employer Address			Cell Phone Number (414) 430-2169
ART	Name (Last, First, Middle) Shanklin, Lindsey	DOB: 06/28/2003	Race/Sex W/F
Address: (Address, City, State, Zip) 856 S 86 St, West Allis, WI, 53214			Home Phone Number (141) 453-0451
Employer			Work Phone Number
Employer Address			Cell Phone Number (414) 430-2169
<p>SUMMARY</p> <p>On 12/22/18 at approx. 1728 hrs., officers were dispatched to El Sagitario, 907 S. 84 St., for an underage female at the bar. Investigation revealed Lindsey Shanklin, F/W 06/28/03, was at the bar and attempted to obtain a margarita. Lindsey was advised she would receive a citation, and Lindsey's mother continued in her attempts to get Lindsey into their vehicle. There were no further problems.</p>			
Vehicle Information: (Year, Make, Model, Style, Color)			
License Number:	State:	Expiration Year:	Vin:
			Insurance Company:
Other Vehicle Information:			NCIC#
Reporting Officer(s): Mussatti, Kevyn		Payroll Number : 9906	Report Date: 12/22/2018
Time Received: 17:25:49	Time Cleared: 18:06:01	Unit(s) Assigned: 221, 223, 229	Pages: 1 Of 4
Reviewed by: Clerical and Coding Manz, Tra		Payroll Number : 9656	Copy To

Date:

12/22/2018

CFS Code-1: 4199

Incident Report Number:

18-051924

West Allis Police Department**Continuation**

Incident Report Number

18-051924

Incident Location:

907 S 84 St, West Allis, WI, 53214

Incident Date:

12/22/2018

NAMES**Offender**

Shanklin, Lindsey W/F-15 of 856 S 86 St, West Allis, WI, 53214

DOB: 06/28/2003

HT: 508 WT: 200 Hair: Red Or Auburn

Eyes: Blue

Booking#: 18-004607

Case#	Charge	Description	Ct
18-051924	WA125.07(4)(a)1	Procure/Attempt Alcohol by Person Under 171	

Contact

Ramos, Pascual W/M-37 of 907 S 84 St, West Allis, WI, 53214

DOB: 06/28/1981

Cell Phone: (414) 551-5216

Business

El Sagitario of 907 S 84 St, West Allis, WI, 53214

Work Phone: (414) 551-5216

Witness

Hernandez, Viridiana Perez W/F-32 of 1221 S 25th St, Milwaukee, WI, 53204

DOB: 04/10/1986

Cell Phone: (414) 364-1926

NARRATIVE**INITIAL CALL**

On 12/22/18 at approx. 1728 hrs., officers were dispatched to El Sagitario, 907 S. 84 St., for an underage female at the bar. Upon arrival, I observed known party, Lindsey Shanklin, F/W 06/23/03 outside of the business, and her mother, Sueann C. Shanklin, F/W 12/13/61, was inside her truck on S. 84 St., trying to convince Lindsey to get inside the vehicle.

Reporting Officer(s):

Mussatti, Kevyn

Payroll Number :

9906

Pages:

2 Of 4

West Allis Police Department**Continuation**

Incident Report Number

18-051924

Incident Location:

907 S 84 St, West Allis, WI, 53214

Incident Date:

12/22/2018

STATEMENT OF VIRIDIANA P. HERNANDEZ - WITNESS

After observing Lindsey, I entered the bar and spoke to bartender, Viridiana P. Hernandez, F/W 04/10/86 (bartending license #20-528). She said the female was not inside the business now, but confirmed it was Lindsey, who was just outside the bar.

I asked Viridiana what Lindsey was doing inside the bar. Viridiana said she asked Lindsey to leave several times, but she refused. Lindsey tried to play video games inside the bar. Lindsey also asked Viridiana for a Monster drink and a Margarita drink, but Viridiana refused to serve her. She said Lindsey was inside the bar for approx. 20 minutes before leaving. She later advised me Lindsey has been at the bar approx. three times in the past.

CONTACT WITH LINDSEY SHANKLIN - OFFENDER

After speaking with Viridiana, I exited the tavern and observed Lindsey walking S/B on S. 84 St., near W. Washington St. She was still being followed by her mother in the truck. I made contact with Lindsey on S. 84 St./W. Washington Ave., and called her name several times and ordered her to stop, but she continued walking. I had to jog toward her and hold her shoulder to stop her from walking.

Once Lindsey stopped walking, she started to insult me. I asked her if she understood she was not supposed to be inside a bar. I asked her if she tried to get a margarita inside the bar. She denied asking for a margarita. During the contact she was argumentative and called me a "faggot".

I asked Lindsey several times why she went into the bar. Lindsey said "wait until I go back in there and punch the bitch". I advised her she would get arrested if she did that. I advised her she would be getting mailed a citation for attempting to obtain alcohol from the business. I asked her if she was willing to sign a PR bond for the citation. She would not answer my question.

Lindsey was advised to get into the vehicle with her mother, Sueann, but she refused. I briefly spoke to Sueann, and informed her Lindsey would be getting a citation in the mail. I advised her to try to get Lindsey to go home.

CONTACT WITH PASCUAL RAMOS

Shortly after speaking with Sueann, I observed Lindsey run from the area, and she appeared to be running back toward the tavern. I returned to the tavern and spoke to the owner, Pascual Ramos, M/W 06/28/81. He advised me he was having recent problems with Lindsey coming into the bar and bothering patrons. He was advised to avoid contact with her due to her argumentative and instigating attitude. He was advised to call the police whenever she returns. He also revealed the tavern license #17-2559.

Reporting Officer(s):

Mussatti, Kevyn

Payroll Number:

9906

Pages:

3 Of 4

West Allis Police Department**Continuation**

Incident Report Number

18-051924

Incident Location:

907 S 84 St, West Allis, WI, 53214

Incident Date:

12/22/2018

ON SCENE OBSERVATIONS

While on scene, I observed the tavern cameras, and saw Lindsey directly outside the bar door. When I exited the business, she was walking around the area, and she ultimately sat down on the steps outside the bar. I advised her she was trespassing at the business, and she needed to leave. She was argumentative but ultimately walked away. Sueann was on scene in the truck, still attempting to get Lindsey inside the vehicle.

OUT OF CUSTODY BOOKING

I booked Lindsey out of custody under Booking #2018004607, for Procure/Attempt Alcohol by Person Under 17. Municipal Citation, 1S8051TJXQ, was generated with a local court date of 01/28/19 at 0830 hrs. The citation was mailed to Lindsey's address, and a parent notification letter was mailed to Sueann.

CASE DISPOSITION

Lindsey entered El Sagitario and attempted to obtain alcohol (margarita). She was asked to leave several times by the bartender, but she refused.

Lindsey was booked out of custody and mailed a citation for the incident. Lindsey was left to the custody of her mother, Sueann, who was attempting to get her into the truck to get her away from the area.

A tavern report was completed for the incident.

Reporting Officer(s):

Mussatti, Kevyn

Payroll Number:

9906

Pages:

4 Of 4

01/02/2019 9:48
** For official use only **

WEST ALLIS POLICE DEPARTMENT

11301 W LINCOLN AVE | WEST ALLIS, WI 53227 | (414) 302-8000

Liquor Establishment Violation



Date: 12/28/18
To: Sargeant James Cato
From: Vanden Boogard, Bret

Caller/Complainant: Telderer, Jackson

Violation Type

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

Case #: 2018052369
Location: 9440 w national ave
Establishment Name: Heartbreakers
Establishment License # 2100
Establishment Owner steven n. pohlabel
Owner Address 2461 spring st, Racine


Violation(s):

Two patrons left the bar after being there for several hours. One patron retrieved a firearm from his vehicle and pointed it at two other patrons. This occurred on the street in front of the establishment. The patron with the firearm was driven away from the scene and in the area of 95/becher he discharged the firearm while pointing it straight in the air. That vehicle was located by police and both occupants were arrested. The patron with the firearm was highly intoxicated.

Offenders

Commanding Officer Signature: _____

Reviewed by Deputy Chief Robert Fletcher:

		West Allis Police Department		Incident Report	
		Incident: Agg Assault-Nonfamily-Gun			
Incident Report Number:		Between: Date - Time		And/At: Date-Time	
18-052369				12/27/18 02:17	
Incident Location:					
2107 S 95 St, West Allis, WI, 53227					
CFS Code-1:		CFS Code-2:		CFS Code-3:	
1304		5213		5311	
CFS Code-5:		CFS Code-6:		CFS Code-7:	
CFS Code-4:		Offense Code-4:			
		ZMK9604			
Name (Last, First, Middle)		DOB:		Race/Sex	
PHL Patterson, Tanisha		09/25/1980		B/F	
Address: (Address, City, State, Zip)				Home Phone Number	
8901 W Lincoln Ave, West Allis, WI, 53227					
Employer				Work Phone Number	
				(414) 328-6000	
Employer Address				Cell Phone Number	
Name (Last, First, Middle)		DOB:		Race/Sex	
V Telderer, Jackson Louis		12/10/1996		W/M	
Address: (Address, City, State, Zip)				Home Phone Number	
2179 N 64th St, Wauwatosa, WI, 53213					
Employer				Work Phone Number	
Employer Address				Cell Phone Number	
				(414) 708-6708	
<p>SUMMARY</p> <p>Officer Vanden Boogard reports.... *E.S.B.U. O.D.W - armed while intox. - pointing and aiming*</p> <p>On 12/27/18 at approximately 0217hrs, Officers responded to the 2100blk of S. 95 St. for reports of shots fired. Investigation revealed Martin A. Resendez, M/H 04/10/71, was the passenger of a vehicle parked in front of heartbreakers when he racked the slide of his firearm and pointed it at two victims. The victim's ran away, however minutes later they observed the vehicle driving down the 9400blk of W. Becher St, when one of the victim's observed Resendez discharging the firearm up into the air. Resendez and the driver of the vehicle, Juan M. San Miguel, M/H 09/17/86, were located driving in West Milwaukee and taken into custody. Resendez showed signs of impairment, performed poorly on SFST's, and refused to provide a breath sample. A warrant</p>					
Vehicle Information: (Year, Make, Model, Style, Color)					
License Number:		State:		Expiration Year:	
Other Vehicle Information:		Vin:		Insurance Company:	
Reporting Officer(s):		Payroll Number :		Report Date:	
Vanden Boogard, Bret		2619		12/27/2018	
Time Received:		Time Cleared:		Unit(s) Assigned:	
02:17:00		06:24:41		312, 315, 316, 320, 325, 335, 3	
Reviewed by:		Payroll Number :		Pages:	
Clerical and Coding Manz, Tra		9656		1 Of 10	
		Copy To			

Date:

12/27/2018

CFS Code-1: 1304

Incident Report Number:

18-052369

West Allis Police Department**Continuation**

Incident Report Number

18-052369

Incident Location:

2107 S 95 St, West Allis, WI, 53227

Incident Date:

12/27/2018

was obtained and a blood draw was completed. Resendez was booked for
ESBDUOW armed while intoxicated and pointing and aiming and he posted bail and
was released. DA review is set for 12/28/18 at 0830hrs.

Reporting Officer(s):

Vanden Boogard, Bret

Payroll Number:

2619

Pages:

2 Of 10

West Allis Police Department**Continuation**

Incident Report Number

18-052369

Incident Location:

2107 S 95 St, West Allis, WI, 53227

Incident Date:

12/27/2018

NAMES**Victim**

Mihelich, Jack H W/M-22 of 1546 Martha Washington Dr, Wauwatosa, WI, 53213

DOB: 07/03/1996

Cell Phone: (414) 418-0033

Offender-1

San Miguel, Juan M W/M-32 of 1559 S 21ST ST, MILWAUKEE, WI, 53204

DOB: 09/17/1986

HT: 506 WT: 180 Hair: Black

Eyes: Brown

Cell Phone: (414) 712-0411

Other Phone: (414) 671-6992

Booking#: 18-004649

Case#	Charge	Description	Ct
18-052369	939.05	Party to	1
18-052369	941.20(1)(a)	Endanger Safety/Use/Dangerous Weapon	1
18-052369	WA-947.01	Disorderly Conduct	1

Offender-2

Resendez, Martin A W/M-47 of 2122 S 69 St, LOWER, West Allis, WI, 53219

DOB: 04/10/1971

Cell Phone: (414) 732-0654

Cell Phone: (414) 672-8179

Booking#: 18-004648

Case#	Charge	Description	Ct
18-052369	941.20(1)(b)	Go Armed with Firearm While Intoxicated	1
18-052369	941.20(1)(c)	Intentionally Point Firearm At Person	1

NARRATIVE

Reporting Officer(s):

Vanden Boogard, Bret

Payroll Number :

2619

Pages:

3 Of 10

West Allis Police Department**Continuation**

Incident Report Number

18-052369

Incident Location:

2107 S 95 St, West Allis, WI, 53227

Incident Date:

12/27/2018

My body camera was on and functioning properly during this incident. Refer to footage for full details.

INITIAL RESPONSE

On 12/27/18 at approximately 0217hrs, WAPD dispatch received a suspicious activity call about two M/W in winter clothes yelling and screaming near an address at 2107 S. 95 St.

As Officers were responding to this location, dispatch received a second suspicious call at approximately 0220hrs, about a silver Prius driving around the area and parking in random driveways. The caller stated the vehicle was last observed driving northbound on S. 93 St. towards W. Becher St. Due to the close proximity of these calls it was unknown if they were related. Officers located the Prius in the area and it was determined to be a news paper carrier and unrelated to this incident.

At approximately 0220hrs, dispatch received a third call for service. This caller (later ID as Jack H. Mihelich, M/W 07/03/96) stated two Hispanic males in a black Cadillac with heavily tinted windows, had displayed a firearm and discharged the weapon in the area of S. 95 St. and W. National Ave.

STATEMENT OF VICTIMS

Officer Olson and Officer Sayeg located Mihelich and his friend Jackson L. Telderer, M/W 12/10/96 and obtained their statements. **Refer to their supplemental reports for further information.**

STATEMENT OF WITNESSES

Refer to additional officer's reports for further.

AREA CANVASS

Refer to additional officer's reports for further.

LOCATION OF SUSPECT VEHICLE

At the time of this call I was monitoring W. Greenfield Ave. between S. 76 St. and S. 84 St. for the tinted out black Cadillac. At approximately 0224hrs, Officer Dufek advised that prior to the shots fire call, he had observed a newer model black Cadillac sedan (possibly a CTS) traveling eastbound on W. Becher St. from W. National Ave. It was unknown where the vehicle had gone after that.

At approximately 0230hrs, I heard West Milwaukee Officers radioing they were conducting a traffic stop at S. 38 St. and W. Burnham St. on a black Cadillac with

Reporting Officer(s):

Vanden Boogard, Bret

Payroll Number:

2619

Pages:

4 Of 10

West Allis Police Department**Continuation**

Incident Report Number

18-052369

Incident Location:

2107 S 95 St, West Allis, WI, 53227

Incident Date:

12/27/2018

heavily tinted windows. I responded to this location to assist their officers as the vehicle matched the description of our vehicle involved in the shooting. Refer to Officer Kleinfeldt's supplemental report for further.

Also refer to West Milwaukee Officer Makouske's report for the traffic stop and the detention of the front seat passenger under West Milwaukee call #18-009659.

DETENTION AND ARREST OF OFFENDER(S)

I arrived at the traffic stop location at the same time as Officer Kleinfeldt. I observed West Milwaukee Officers had the front seat passenger in handcuffs and detained on the ground just outside of the vehicle. They had the driver of the vehicle with his hands in the air and outside of the driver window as he was still sitting inside the vehicle. Along with Officer Kleinfeldt, I assisted in detaining the driver (later ID as Juan M. San Miguel, M/H 09/17/86). I asked San Miguel if he had any firearms and he stated he did not have any firearms on his person. Without me asking him anything, he blurted out that he was the designated driver for the front seat passenger as the passenger was "drunk."

Refer to Officer Kleinfeldt's report for further information as well as his contact/statement with San Miguel

West Milwaukee Officer Makouske informed me that when the traffic stop was conducted the front seat passenger (later ID through WI DL as) Martin A. Resendez, M/H 04/10/71, had unexpectedly exited the vehicle and was not following officers commands. Based on his non-compliance they placed him in handcuffs.

OFFICER OBSERVATIONS

I observed the rear license plate for the Cadillac was WI Reg; ACG9125. The vehicle listed to a 2010 Black Cadillac 4dr sedan and the registered owner was Resendez.

Resendez was still seated on the ground next to the passenger side of the vehicle. I walked over to the vehicle which had the passenger doors open. Resendez was talking and rambling on, as he stated he did not know what was happening. I noticed his words were heavily slurred as he spoke and his eyes were red and glassy. While standing next to Resendez one of the West Milwaukee officers informed me there was a firearm in the passenger side door (which was visible with the door already being opened). Upon hearing what the West Milwaukee Officer said to me, Resendez made an excited utterance and stated, "Yes" and he stated he had a concealed carry permit. *It should be noted a search of the vehicle was not conducted at this time.

Resendez was then placed in the backseat of my squad car #15 while we conducted our investigation. As he walked, I held onto his arm and assisted him as he was

Reporting Officer(s):

Vanden Boogard, Bret

Payroll Number:

2619

Pages:

5 Of 10

West Allis Police Department**Continuation**

Incident Report Number

18-052369

Incident Location:

2107 S 95 St, West Allis, WI, 53227

Incident Date:

12/27/2018

stumbling and having trouble maintaining his balance. I also detected a strong odor of an intoxicant was emitting from his breath. Based on my observations, the time of night, Resendez uncooperative nature in failing to follow simple commands, and what San Miguel had said to me, I believed Resendez was highly intoxicated.

ADDITIONAL INFORMATION

I confirmed with Officer Jacobsen that the vehicle and license plate we had stopped on S. 38 St. and W. Burnham St. was the same vehicle and license plate he had performed an inquiry on earlier in the night as it had been parked in front of Heartbreakers at 9440 W. National Ave. which it was determined where the incident had originally started.

ARREST DECISION

In addition to Resendez's vehicle matching the shooting vehicle, Resendez and San Miguel matched the description of the offenders in the incident. Based on this information, Officer Jacobsen having previously observed Resendez's vehicle parked in front of Heartbreakers, and there being a firearm inside of the vehicle, I informed Resendez he was under arrest. In addition, I suspected Resendez was in possession of a firearm while under the influence of an intoxicant and I later conducted further investigation at the station.

CONVEYANCE

I conveyed Resendez back to the station for further investigation and processing in squad #15.

SFST'S

HGN

In the booking room Resendez agreed to perform SFST's. Resendez was asked if he could see my pen. I instructed him to follow the tip of my pen with his eyes-only and not to move his head. He stated he understood the directions.

I checked for equal pupil size and equal tracking, a lack of smooth pursuit, distinct sustained nystagmus at maximum deviation and an onset of nystagmus, prior to a 45-degree angle. I checked each eye twice for each clue, starting with the left eye.

Results: I observed equal pupil size and equal tracking in both eyes. I observed a lack of smooth pursuit in both eyes. During the duration of the distinct sustained nystagmus at maximum deviation portion, Resendez had closed eye lids making his eyes barely visible. I instructed him several times to open his eyes wider which he would only do for a short period. I also observed he was not following the pen

Reporting Officer(s):

Vanden Boogard, Bret

Payroll Number:

2619

Pages:

6 Of 10

West Allis Police Department**Continuation**

Incident Report Number

18-052369

Incident Location:

2107 S 95 St, West Allis, WI, 53227

Incident Date:

12/27/2018

all of the way out to the side. I instructed him several times to follow the pen but he often would stop following it to the side. Based on his lack of cooperation, I moved on to the onset of nystagmus prior to a 45-degree angle portion of the test. During this test I still had to instruct him to open his eyes wider. He rubbed his face with his hands and then kept his eyes open wider. I observed an onset of nystagmus prior to a 45-degree angle in both eyes. I again checked for distinct sustained nystagmus at maximum deviation and I was now able to observe this was present in both of his eyes.

Resendez exhibited 6 clues or indicators of a possible total of 6 clues or indicators of a person who may be intoxicated by alcohol or drugs may exhibit.

Prior to starting the walk and turn, Resendez began stating he did not know why I was having him complete the tests and kept repeating himself by talking about how he was taken into custody. I informed him it was to determine his level of intoxication. He then admitted that he had been drinking and he was feeling "buzzed."

WALK AND TURN

I placed Resendez in the instructional stance by having him place his left foot on a straight line on the booking room floor with his right foot in front, heel to toe. I instructed him to keep his arms at his side and maintain that position until I tell him to begin the test. I gave him a complete set of instructions and a demonstration of the test.

Result: Resendez started too soon while I was instructing the test. He was placed back in the stance while I demonstrated the test, at which point he lost balance and fell out of stance. Resendez stopped walking at the turn and asked me for instruction and if he should "dance." On the return set of nine steps he missed heel to toe on steps 1,4,5,6,7,8,9,10. He stepped offline on steps, 2,7. At step 3 he lost his balance, raised his arms, and put his left hand on the wall to maintaining his balance. He took a total of 10 steps.

Resendez exhibited 7 clues or indicators of a possible total of 8 clues or indicators of a person who may be intoxicated by alcohol or drugs may exhibit.

ONE LEG STAND

I gave Resendez a complete set of instructions and a demonstration of the test. He stated he understood my directions.

Result: Resendez raised his right foot for the test. He immediately lost his balance and put his foot down. He raised his left arm for balance during the test. He also swayed during the test. He lost his balance on four more occasions and each time he put his foot down.

Reporting Officer(s):

Vanden Boogard, Bret

Payroll Number:

2619

Pages:

7 Of 10

West Allis Police Department**Continuation**Incident Report Number
18-052369Incident Location:
2107 S 95 St, West Allis, WI, 53227Incident Date:
12/27/2018

Resendez exhibited 3 clues or indicators of a possible total of 4 clues or indicators of a person who may be intoxicated by alcohol or drugs may exhibit.

ADDITIONAL ARREST DECISION

Based on Resendez admitting to drinking, him feeling buzzed, the odor of an intoxicant on his breath, his slurred speed, his red glassy eyes, his lack of balance and coordination while walking, a (loaded) firearm being inside the vehicle next to where he was sitting, a victim positively identifying him out of a photo array as the person holding the firearm and pointing it him (victim), Resendez admitting he had a CCW permit and acknowledging the firearm was in the vehicle, and his poor performance on SFST's, he was also arrested for; Endangering Safety By Use Of a Dangerous Weapon - going armed while intoxicated and E.S.B.U.O.D.W. - pointing and aiming.

INTOXIMETER

I asked Resendez if he would consent and provide a breath sample via the intoximeter. He refused to provide a sample.

SEARCH WARRANT

I completed an OWI blood draw search warrant which was approved and signed on 12/27/18 by the Honorable Judge Murray, Milwaukee County Circuit Court Judge. It should be noted that I received the signed search warrant via email at 0449hrs. However I later discovered Judge Murray had written in the time on the form as "5:45am" which I believed to be a mistake.

The defendant was read the face sheet of the affidavit and was provided a copy.

The search warrant return form and the original copy of the search warrant were turned over to DTC Officer Barwick to be forwarded to the Clerk of Courts.

BLOOD DRAW

On 12/27/18 at approximately 0531hrs., a blood sample was taken from the defendant by Plebotomist Tanisha Patterson of the Aurora West Allis Medical Center. The paperwork was completed and the blood sample was turned over to Officer Lazaris, who later turned it over to Officer Luedke.

During the blood draw, Resendez initially stated he was not going to give blood and that he wanted his lawyer to be present during the blood draw.

PHOTO ARRAY

Refer to Officer Santa Cruz Medina for the creation of the photo array.

Reporting Officer(s):
Vanden Boogard, BretPayroll Number:
2619Pages:
8 Of 10

West Allis Police Department		Continuation
Incident Report Number 18-052369	Incident Location: 2107 S 95 St, West Allis, WI, 53227	Incident Date: 12/27/2018
<p>Refer to Officer Sayeg for the execution of the photo array.</p> <p>EVIDENCE COLLECTION / VEHICLE SEARCH</p> <p>I informed Officer Leudke that Resendez was placed under arrest for going armed while intoxicated. After this occurred a search of the vehicle was conducted incident to the arrest.</p> <p>Refer to Officer Luedke's supplemental report for further information</p> <p>PHOTOGRAPHS</p> <p>Refer to Officer Luedke's supplemental report.</p> <p>VIDEO SURVEILLANCE</p> <p>I was informed there was video surveillance from Heartbreakers, however as of 12/28/18 the video was not ready to be picked up. Refer to Officer Jacobsen's report for further</p> <p>PROPERTY</p> <p>Refer to Officer Luedke and Officer Olson's supplemental report for further.</p> <p>CUSTODIAL INTERVIEW - JUAN SAN MIGUEL</p> <p>Refer to Officer Kleinfeldt's supplemental report for San Miguel's in-custody statement.</p> <p>CONSENT FORMS - JUAN SAN MIGUEL</p> <p>Refer to Officer Kleinfeldt's supplemental report for further.</p> <p>CUSTODIAL INTERVIEW - MARTIN RESENDEZ</p> <p>On 12/27/18 at approx. 0555hrs, while in Interview Room A of the West Allis Police Department, I read Resendez his Miranda Warnings off my WAPD issued Miranda Warning Card. he agreed to speak with me regarding this incident. This interview was recorded on my body camera. Resendez's statement here is paraphrased for this report.</p> <p>Resendez stated he and his friend Juan were at Heartbreakers and he was unsure exactly when they arrived. He stated they left the bar and were on there way home when the got stopped by police.</p>		
Reporting Officer(s): Vanden Boogard, Bret	Payroll Number: 2619	Pages: 9 Of 10

West Allis Police Department**Continuation**

Incident Report Number

18-052369

Incident Location:

2107 S 95 St, West Allis, WI, 53227

Incident Date:

12/27/2018

He knew they had gotten there sometime before midnight. Beforehand they had been hanging out his Resendez's residence. They were by themselves and with no other people. He stated he had consumed "2,3,4" alcohol drinks and he was drinking beer. He later stated he had consumed a "6pack." He did not consume any liquor nor did he have any alcoholic shots. He denied using street narcotics or being on any medications other than Tylenol. The left Heartbreakers and got into Resendez's vehicle. Juan was his driver because he does not drink alcohol. The vehicle is a Cadillac CTS and it is registered to Resendez. He stated he got into the vehicle and sat in the front passenger seat.

Resendez denied being involved in any kind of argument nor any fight inside or outside of the bar. Resendez stated he owns a firearm which is a small .38cal black gun that holds six rounds. The firearm is always loaded however there was not a round in the chamber. He stated the firearm was in the driver door compartment of his vehicle tonight. He was unsure how the firearm ended up in the front passenger door compartment. He was unsure the last time he held the firearm. He stated he did not remember all of the events surrounding tonight. He did not recall holding onto the firearm and pointing it at anyone. He also did not recall shooting the firearm in the air and did not believe he did that.

End of supplement**CONSENT FORMS - MARTIN RESENDEZ**

I asked Resendez for consent and showed him the consent forms to obtain a buccal swab and to search his cell phone. Upon seeing both forms he stated he wanted to consult with his lawyer prior to giving consent.

BOOKING

Refer to Officer Kleinfeldt's supplemental report for San Miguel's booking

Resendez was fingerprinted, photographed, and booked under booking #18-004648 for ESBUDW - going armed while intoxicated, and ESBUDW - pointing and aiming.

OFFENDERS DISPOSITION

Resendez posted his own bail and released from the station. Prior to his release he was provided a copy of the search warrant, a receipt for bail, and an order in memo to appear at the charging conference.

CASE DISPOSITION

This incident will be reviewed at the DA's office on 12/28/18 at 0830hrs.

Reporting Officer(s):

Vanden Boogard, Bret

Payroll Number:

2619

Pages:

10 Of 10

Tobacco Compliance Check List

Business Name / Address	License #	Date	Time	Complied	Citation Number(s)
Speedway Service Station #4078 - 10306 W Greenfield Ave	1765	12/27/2018	1258hrs	Yes	NA
VJ's Food Mart - 9206 W Schlenger Ave	1704	12/27/2018	1304hrs	Yes	NA
Family Dollar - 9306 W Greenfield Ave	2362	12/27/2018	1309hrs	Yes	NA
Olympia Food & Liq. - 9034 W Greenfield Ave	1599	12/27/2018	1313hrs	Yes	NA
Express Pantry - 8530 W Greenfield Ave	1078	12/27/2018	1319hrs	Yes	NA
Parthenon Foods - 8415 W Greenfield Ave	2445	12/27/2018	1324hrs	Yes	NA
BP GreenMart - 7605 W Greenfield Ave	520	12/27/2018	1328hrs	Yes	NA
Super Bottle Depot - 1357 S 76 St	1495	12/27/2018	1333hrs	Yes	NA
West Allis Liquore & Tobacco - 7218 W Greenfield Ave	2464	12/27/2018	1337hrs	Yes	NA
West Allis Cigarette Depot - 7023 W Greenfield Ave	513	12/27/2018	1341hrs	Yes	NA
Welcome Mart BP - 7920 W National Ave	1897	12/27/2018	1347hrs	Yes	NA
Lucky Petro Inc - 8323 W Becher St	2382	12/27/2018	1350hrs	Yes	NA

 #130
 Officer: Squad 222 - A. Iskandarani

Subject: Tobacco Compliance Check

Date: 12/27/2018

Case Number: 18-052393

Wisconsin Tobacco Inspection Form

Inspection Team Information

Minor ID: TKK

Inspection Date: 12/27/18

Adult ID: 9965

Inspection Time: 1258 am/pm

Store Information

Store Name: Speedway Gas - 10306 W Greenfield Ave

Outlet Type: Gas Station

Address: 10306 W Greenfield Ave

City: West Allis County: Milwaukee Zip Code: 53214

Inspection Data

Tobacco Type: (circle one)

Cigarettes / Chewing Tobacco / Cigar / Other

Tobacco Brand: Newport - 100

Clerk / Vending Machine
(circle one)

Product Location:
(circle one)

Behind Counter
At check stand
In an aisle

Unlocked display case
Locked display case
Other: _____

Clerk Name:

No Tag

Clerk Gender: M / F
(circle one)

Clerk's Age: Young Adult
(circle one) Teen
Mature Adult
Senior

ID ☒ Yes
Checked: ☐ No

Willing ☐ Yes
to Sell: ☒ No

No Sale ☐ Yes
Sign: ☒ No

Money Used: \$0.00

Comments:

NO ISSUES

I agree that the information I entered is correct to the best of my knowledge. I am a minor and have permission from the State of Wisconsin to perform these inspections. I understand that attempting to purchase tobacco outside of this approved program is illegal and can lead to fines and/or my arrest.

Minor Signature: [Signature]

Wisconsin Tobacco Inspection Form

Inspection Team Information

Minor ID: TKK

Inspection Date: 12/27/18

Adult ID: 9965

Inspection Time: 1304 am pm

Store Information

Store Name: VJ's food mart - 9206 W Schlinger Ave

Outlet Type: Convenience store

Address: 9206 W Schlinger Ave

City: West Allis County: Milwaukee Zip Code: 53204

Inspection Data

Tobacco Type: (circle one)

Cigarettes / Chewing Tobacco / Cigar / Other

Tobacco Brand: Newport

Clerk / Vending Machine
(circle one)

Product Location:
(circle one)

Behind Counter
At check stand
In an aisle

Unlocked display case
Locked display case
Other: _____

Clerk Name:

No Tag

Clerk Gender: M / F
(circle one)

Clerk's Age:
(circle one)

Teen
Young Adult
Mature Adult
Senior

ID
Checked: ☒ Yes ☐ No

Willing
to Sell: ☐ Yes ☒ No

No Sale
Sign: ☐ Yes ☒ No

Money Used: \$0.00

Comments:

No Issues

I agree that the information I entered is correct to the best of my knowledge. I am a minor and have permission from the State of Wisconsin to perform these inspections. I understand that attempting to purchase tobacco outside of this approved program is illegal and can lead to fines and/or my arrest.

Minor Signature: [Signature]

Wisconsin Tobacco Inspection Form

Inspection Team Information

Minor ID: TKK

Inspection Date: 2/27/18

Adult ID: 919965

Inspection Time: 1:30 am/pm

Store Information

Store Name: Family Dollar - 9306 W Greenfield Ave

Outlet Type: Dollar Store

Address: 9306 W Greenfield Ave

City: West Allis County: Milwaukee Zip Code: 53214

Inspection Data

Tobacco Type: (circle one)

Cigarettes / Chewing Tobacco / Cigar / Other

Tobacco Brand: Newport

Clerk / Vending Machine
(circle one)

Product Location:
(circle one)

Behind Counter
At check stand
In an aisle

Unlocked display case
Locked display case
Other: _____

Clerk Name: "Corla"

Clerk Gender: M / F
(circle one)

Clerk's Age: Young Adult
(circle one) Mature Adult
Teen
Senior

ID ☐ Yes ☐ No Willing ☐ Yes ☐ No Sale ☐ Yes ☐ No
Checked: ☐ No ☐ Yes to Sell: ☐ No ☐ Yes Sign: ☒ No

Money Used: \$10.00

Comments:

NO ISSUES

I agree that the information I entered is correct to the best of my knowledge. I am a minor and have permission from the State of Wisconsin to perform these inspections. I understand that attempting to purchase tobacco outside of this approved program is illegal and can lead to fines and/or my arrest.

Minor Signature: [Signature]

Wisconsin Tobacco Inspection Form

Inspection Team Information

Minor ID: TKK

Inspection Date: 2/27/18

Adult ID: 99965

Inspection Time: 3:30 am/pm

Store Information

Store Name: Olympia Food & Liquor - 9034 W Greenfield Ave

Outlet Type: Alcohol Store

Address: 9034 W Greenfield Ave

City: West Allis County: Milwaukee Zip Code: 53214

Inspection Data

Tobacco Type: (circle one)

Cigarettes / Chewing Tobacco / Cigar / Other

Tobacco Brand: Newport

Clerk / Vending Machine
(circle one)

Product Location:
(circle one)

Behind Counter
At check stand
In an aisle

Unlocked display case
Locked display case
Other: _____

Clerk Name:

"No Tag"

Clerk Gender: (M) F
(circle one)

Clerk's Age: Young Adult
(circle one) Mature Adult
Senior

ID ☒ Yes
Checked: ☐ No

Willing ☐ Yes
to Sell: ☒ No

No Sale ☐ Yes
Sign: ☒ No

Money Used: \$0.00

Comments:

No Issues

I agree that the information I entered is correct to the best of my knowledge. I am a minor and have permission from the State of Wisconsin to perform these inspections. I understand that attempting to purchase tobacco outside of this approved program is illegal and can lead to fines and/or my arrest.

Minor Signature: Matthew Merrill

Wisconsin Tobacco Inspection Form

Inspection Team Information

Minor ID: TKK

Inspection Date: 12/27/18

Adult ID: 9.9965

Inspection Time: 1:39 am/pm

Store Information

Store Name: Express Pantry - 8530 W Greenfield Ave

Outlet Type: Convenience Store

Address: 8530 W Greenfield Ave

City: West Allis County: Milwaukee Zip Code: 53214

Inspection Data

Tobacco Type: (circle one)

Cigarettes / Chewing Tobacco / Cigar / Other

Tobacco Brand: Newport

Clerk / Vending Machine
(circle one)

Product Location:
(circle one)

Behind Counter
At check stand
In an aisle

Unlocked display case
Locked display case
Other: _____

Clerk Name: no tag

Clerk Gender: M / F
(circle one)

Clerk's Age: Young Adult
(circle one) Teen
Mature Adult
Senior

ID ☒ Yes
Checked: ☐ No

Willing ☐ Yes
to Sell: ☒ No

No Sale ☐ Yes
Sign: ☒ No

Money Used: \$0.00

Comments:

no Issues

I agree that the information I entered is correct to the best of my knowledge. I am a minor and have permission from the State of Wisconsin to perform these inspections. I understand that attempting to purchase tobacco outside of this approved program is illegal and can lead to fines and/or my arrest.

Minor Signature: [Signature]

Wisconsin Tobacco Inspection Form

Inspection Team Information

Minor ID: TKK

Inspection Date: 12/17/18

Adult ID: a.9965

Inspection Time: 1:24 am/pm

Store Information

Store Name: Parthenon Foods

Outlet Type: Convenience Store

Address: 8415 W Greenfield Ave

City: West Allis County: Milwaukee Zip Code: 53214

Inspection Data

Tobacco Type: (circle one)

Cigarettes / Chewing Tobacco / Cigar / Other

Tobacco Brand: Newport

Clerk / Vending Machine
(circle one)

Product Location:
(circle one)

Behind Counter
At check stand
In an aisle

Unlocked display case
Locked display case
Other: _____

Clerk Name: "No Tag"

Clerk Gender: M / F
(circle one)

Clerk's Age: Young Adult
(circle one) Teen
Mature Adult
Senior

ID ☒ Yes ☐ No Willing ☐ Yes ☒ No No Sale ☐ Yes ☒ No
Checked: ☐ No to Sell: ☒ No Sign: ☒ No

Money Used: \$ 0.00

Comments:

No Issues

I agree that the information I entered is correct to the best of my knowledge. I am a minor and have permission from the State of Wisconsin to perform these inspections. I understand that attempting to purchase tobacco outside of this approved program is illegal and can lead to fines and/or my arrest.

Minor Signature: [Signature]

Wisconsin Tobacco Inspection Form

Inspection Team Information

Minor ID: TKK

Inspection Date: 12/27/18

Adult ID: A19965

Inspection Time: 1:28 am/pm

Store Information

Store Name: BP Gas - 7605 W Greenfield Ave

Outlet Type: Gas Station

Address: 7605 W Greenfield Ave

City: West Allis County: Milwaukee Zip Code: 53214

Inspection Data

Tobacco Type: (circle one)

Cigarettes / Chewing Tobacco / Cigar / Other

Tobacco Brand: Newport

Clerk / Vending Machine
(circle one)

Product Location:
(circle one)

Behind Counter
At check stand
In an aisle

Unlocked display case
Locked display case
Other: _____

Clerk Name:

No Tag

Clerk Gender: M / F
(circle one)

Clerk's Age: Mature Adult
(circle one) Teen
Young Adult
Senior

ID ☒ Yes
Checked: ☐ No

Willing ☐ Yes
to Sell: ☒ No

No Sale ☐ Yes
Sign: ☒ No

Money Used: \$0.00

Comments:

no issues

I agree that the information I entered is correct to the best of my knowledge. I am a minor and have permission from the State of Wisconsin to perform these inspections. I understand that attempting to purchase tobacco outside of this approved program is illegal and can lead to fines and/or my arrest.

Minor Signature: [Signature]

Wisconsin Tobacco Inspection Form

Inspection Team Information

Minor ID: TKK

Inspection Date: 12/27/18

Adult ID: 99965

Inspection Time: 1:33 am/pm

Store Information

Store Name: Super Bottle Depot - 1357 S 76th St

Outlet Type: Alcohol Sales

Address: 1357 S 76th St

City: West Allis County: Milwaukee Zip Code: 53214

Inspection Data

Tobacco Type: (circle one)

Cigarettes / Chewing Tobacco / Cigar / Other

Tobacco Brand: Newport

Clerk / Vending Machine
(circle one)

Product Location:
(circle one)

Behind Counter
At check stand
In an aisle

Unlocked display case
Locked display case
Other: _____

Clerk Name: "No Tag"

Clerk Gender: M / F
(circle one)

Clerk's Age: Young Adult
(circle one) Teen
Mature Adult
Senior

ID ☒ Yes ☐ No Willing ☐ Yes ☒ No No Sale ☐ Yes ☒ No
Checked: ☐ No to Sell: ☒ No Sign: ☒ No

Money Used: \$0.00

Comments:

No Issues

I agree that the information I entered is correct to the best of my knowledge. I am a minor and have permission from the State of Wisconsin to perform these inspections. I understand that attempting to purchase tobacco outside of this approved program is illegal and can lead to fines and/or my arrest.

Minor Signature: [Signature]

Wisconsin Tobacco Inspection Form

Inspection Team Information

Minor ID: TKK

Inspection Date: 12/27/18

Adult ID: 019965

Inspection Time: 1:37 am/pm

Store Information

Store Name: West All's Lig ⊕ Tobacco - 7218 W Greenfield Ave

Outlet Type: Alcohol Sales

Address: 7218 W Greenfield Ave

City: West Allis County: Milwaukee Zip Code: 53214

Inspection Data

Tobacco Type: (circle one)

Cigarettes / Chewing Tobacco / Cigar / Other

Tobacco Brand: Newport

Clerk / Vending Machine
(circle one)

Product Location:
(circle one)

Behind Counter
At check stand
In an aisle

Unlocked display case
Locked display case
Other: _____

Clerk Name:

NO TAG

Clerk Gender: M / F
(circle one)

Clerk's Age: Manure Adult
(circle one) Teen
Young Adult
Senior

ID ☒ Yes
Checked: ☐ No

Willing ☐ Yes
to Sell: ☒ No

No Sale ☐ Yes
Sign: ☒ No

Money Used: \$0.00

Comments:

no issues

I agree that the information I entered is correct to the best of my knowledge. I am a minor and have permission from the State of Wisconsin to perform these inspections. I understand that attempting to purchase tobacco outside of this approved program is illegal and can lead to fines and/or my arrest.

Minor Signature: [Signature]

Wisconsin Tobacco Inspection Form

Inspection Team Information

Minor ID: TKK

Inspection Date: 12/27/18

Adult ID: 919965

Inspection Time: 1:31 am/pm

Store Information

Store Name: West Allis Garage Depot - 7023 W Greenfield Ave

Outlet Type: Tobacco Store

Address: 7023 W Greenfield Ave

City: West Allis County: Milwaukee Zip Code: 53214

Inspection Data

Tobacco Type: (circle one)

Cigarettes / Chewing Tobacco / Cigar / Other

Tobacco Brand: Newport

Clerk / Vending Machine
(circle one)

Product Location:
(circle one)

Behind Counter
At check stand
In an aisle

Unlocked display case
Locked display case
Other: _____

Clerk Name:

"No Tag"

Clerk Gender: M / F
(circle one)

Clerk's Age: Young Adult
(circle one) Mature Adult
Senior

ID ☒ Yes
Checked: ☐ No

Willing ☐ Yes
to Sell: ☒ No

No Sale ☒ Yes
Sign: ☐ No

Money Used: \$0.00

Comments:

no issues

I agree that the information I entered is correct to the best of my knowledge. I am a minor and have permission from the State of Wisconsin to perform these inspections. I understand that attempting to purchase tobacco outside of this approved program is illegal and can lead to fines and/or my arrest.

Minor Signature: [Signature]

Wisconsin Tobacco Inspection Form

Inspection Team Information

Minor ID: TKK

Inspection Date: 2/27/18

Adult ID: 919965

Inspection Time: 1:37 am/pm

Store Information

Store Name: Welcome Mart BP- 7920 W National Ave

Outlet Type: Gas Station

Address: 7920 W National Ave

City: West Allis County: Milwaukee Zip Code: 53214

Inspection Data

Tobacco Type: (circle one)

Cigarettes / Chewing Tobacco / Cigar / Other

Tobacco Brand: Newport

Clerk / Vending Machine
(circle one)

Product Location:
(circle one)

Behind Counter
At check stand
In an aisle

Unlocked display case
Locked display case
Other: _____

Clerk Name:

"No Tag"

Clerk Gender: M / F
(circle one)

Clerk's Age:
(circle one)

Teen
Young Adult
Mature Adult
Senior

ID ☒ Yes
Checked: ☐ No

Willing ☐ Yes
to Sell: ☒ No

No Sale ☐ Yes
Sign: ☒ No

Money Used: \$0.00

Comments:

No Issues

I agree that the information I entered is correct to the best of my knowledge. I am a minor and have permission from the State of Wisconsin to perform these inspections. I understand that attempting to purchase tobacco outside of this approved program is illegal and can lead to fines and/or my arrest.

Minor Signature: [Signature]

Wisconsin Tobacco Inspection Form

Inspection Team Information

Minor ID: TKK

Inspection Date: 2/27/18

Adult ID: 99965

Inspection Time: 1:30 am/pm

Store Information

Store Name: Lucky Petro Inc - Citgo - 8323 W Becker St

Outlet Type: Gas Station

Address: 8323 W Becker St

City: West Allis County: Milwaukee Zip Code: 53214

Inspection Data

Tobacco Type: (circle one)

Cigarettes / Chewing Tobacco / Cigar / Other

Tobacco Brand: Newport

Clerk / Vending Machine
(circle one)

Product Location:
(circle one)

Behind Counter
At check stand
In an aisle

Unlocked display case
Locked display case
Other: _____

Clerk Name: "No Tag"

Clerk Gender: M / F
(circle one)

Clerk's Age: Young Adult
(circle one) Teen
Mature Adult
Senior

ID ☒ Yes
Checked: ☐ No

Willing ☐ Yes
to Sell: ☒ No

No Sale ☐ Yes
Sign: ☒ No

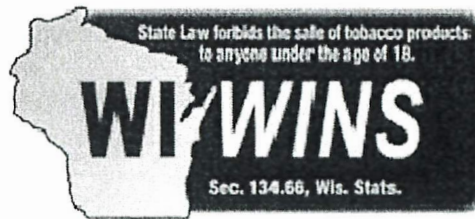
Money Used: \$0.00

Comments:

No Issues

I agree that the information I entered is correct to the best of my knowledge. I am a minor and have permission from the State of Wisconsin to perform these inspections. I understand that attempting to purchase tobacco outside of this approved program is illegal and can lead to fines and/or my arrest.

Minor Signature: [Signature]



PARENT/ADULT GUARDIAN RELEASE

Your signature on this form indicates your consent for your son or daughter to participate in the tobacco compliance investigation program, and to possibly purchase tobacco products under adult supervision as part of the Wisconsin Wins program.

The purpose of this investigation program is to gather data on sales of tobacco products to minors and to enforce the law forbidding sales to underage youth. Your son or daughter could be involved in enforcement efforts as part of this program. This includes the remote possibility of testifying to their actions. Any data that may be published in scientific journals or other publications will not reveal the name of your child participating in this survey unless we have your permission. Your permission will also be requested if your child is asked to participate in any media event related to the survey.

Participation in the survey is voluntary. Your child has the right to stop at any time. All tobacco products purchased by your child during the survey will be collected by project staff and disposed of properly.

I hereby give my consent for my son/daughter, Trevor Kubenik, to participate in the retail tobacco compliance check survey, which will require my son or daughter to purchase tobacco products under adult supervision.

Address: 2596 Root River Parkway
West Allis WI

Phone: (414) 406-9353

Parents Name: Paul Kubenik

Parents Signature: Paul Date: 12-26-18

I would like to be a parent participant and will accompany my child. ☐ Yes ☒ No



EMERGENCY MEDICAL CONSENT FORM

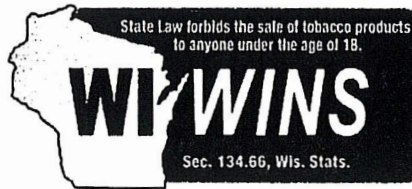
Name: PAUL KUBENIK
Street Address: 2596 Root River Parkway
City: WEST Allis WI Zip Code: 53227
Paul 12/26/18
Signature Date

I hereby give my consent to have the above-signed participant treated by a physician or surgeon at my expense in the case of a sudden illness or injury while participating in the retail tobacco compliance check survey activities. If a personal physician is listed below, every effort will be made to contact that physician. However, the location of the activity or the nature of the illness or injury may require the use of emergency medical personnel.

Paul 12-26-18
Signature of Parent or Guardian Date

Please provide the information below if applicable. Please Print.

James Chapman (MD) 262-513-7000
Name of Family Physician or Medical Group Phone Number
Quartz Hmo Product 714328301-00
Medical Insurance Coverage and/or Medical Group Number



YOUTH APPLICATION FORM

Please Print All Responses

Name: Trevor K. Kubenik ☐ Female ☒ Male

Current Age: 17(YOA) Date of Birth (mo/day/yr): 6/08/01

Phone Number (include area code): (414) 477-0332 What time of day can you be reached most easily?

Email Address: TrevorKubenik01@outlook.com

Street Address: 11641 W Woodside Dr

City: Hales Corners WI Zip Code: 53130

High School you are attending: Whitnall High School - Greenfield WI

List your previous employment and/or community and school activities (include full or part-time employment, volunteer positions, clubs, church groups, sports, school clubs, etc.):

Noodles (P) Compay - Hales Corners WI
Tennis
NHS.

Please Check the Correct Answer

Do you use tobacco products (cigarettes, cigars, smokeless)? ☐ Yes ☒ No

Have you ever participated in anti-tobacco programs, projects, or events? ☐ Yes ☒ No

I Hereby Certify That to the Best of My Knowledge the above Information Is True

X Trevor K. Kubenik
Signature

12/27/18
Date

