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June 13, 2018

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: Communication from Attorney Steven D. Michael Guerin, Gimbel, Reilly,
Guerin & Brown, for legal fees for Police Sergeant Robert Crawley

Dear Council Members:

Returned herewith is a document filed by Attorney D. Michael Guerin for attorney's fees for representing Police Sergeant Robert Crawley. The claim is in the amount of \$2,800.00 for 11.20 hours of service billed at the rate of \$250 per hour, but should be in the amount of \$1,960.00, billed at the previously-set rate of \$175 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by a criminal investigation. A criminal investigation was initiated against the police officer on whose behalf this claim was filed, but he was ultimately not charged.

As we have advised you under similar circumstances in the past, the Common Council has discretion to reject this claim or to pay it in whole or in part as this matter did not result in "criminal proceedings." Wis. Stat. § 895.35(2)(a)1., *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Deputy City Attorney

JAS
Enclosure
1032-2017-602:249694



Gimbel • Reilly • Guerin • Brown

LLP

Writer's Direct E-mail
dmguerin@grgblaw.com

March 9, 2017

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MAR 14 2017

OFFICE OF
CITY ATTORNEY

Jim Owczarski, City Clerk
Milwaukee City Hall
200 East Wells Street, Room 205
Milwaukee, Wisconsin 53202

Re: *Sergeant Robert Crawley*
Incident of July 23, 2016

Dear Mr. Owczarski:

Robert Crawley is a Milwaukee Police Sergeant who was involved in an incident at 2554 North 5th Street where a citizen was shot and killed by Milwaukee Police Officers. Sergeant Crawley happened to be the supervisor in charge of that particular incident and there was a full scale criminal investigation begun. All of the matters were referred to the Department of Justice Agents who conducted the interviews. Ultimately Sergeant Crawley was found not to have any criminal responsibility.

The City Attorney had a conflict in representing Sergeant Crawley in this matter and at Sergeant Crawley's request we handled the matter.

I am enclosing the printout of time at the hourly rate of \$250.00 an hour for services rendered regarding Sergeant Crawley. Sergeant Crawley has incurred the fees compiled in these printouts as a direct result of his being investigated for actions taken within his official capacity, and in the performance of his duties, in connection with the use of force. None of the "exceptions" to mandatory payment under § 895.35(2) Stats., apply. Therefore this investigation qualifies as a "proceeding" which mandates payment under § 895.35(2) Stats.

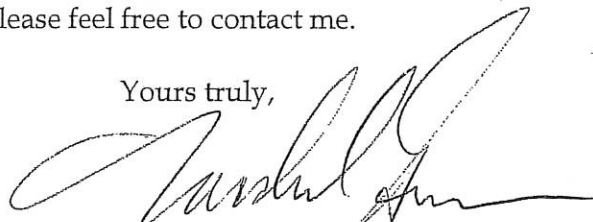
330 East Kilbourn Avenue
Suite 1170
Milwaukee, WI 53202
P: 414-271-1440
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www.grgblaw.com

CITY OF MILWAUKEE
2017 MAR 10 PM 2:20
CITY CLERK'S OFFICE

All of the services were performed on site of incident or at the Milwaukee Police Department location and not in my office.

If you have any questions, please feel free to contact me.

Yours truly,



D. MICHAEL GUERIN

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DMG/ker
Enclosure

Cc: Attorney Jay A. Smokowicz
Crim/Crawley, Robert/Owczarski 2017-03-09

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Page: 1
March 9, 2017
ACCOUNT NO.: 201710703M
STATEMENT NO.: 1

Milwaukee Police Supervisors Organization
2900 West Forest Home Avenue
Milwaukee, WI 53215

Criminal - Sergeant Robert Crawley

STATEMENT

	<u>HOURS</u>
07/23/16 DMG Attend meeting with client.	4.00
07/25/16 DMG Telephone conference with client regarding scheduling; telephone conference with Wisconsin Department of Justice; research protocol; telephone conferences regarding scheduling; debrief with office in shooting.	1.20
07/26/16 DMG Research Milwaukee Police Department's taser policy; interview.	3.70
08/29/16 DMG Telephone conference with potential client regarding investigation Follow-up; telephone conference with Wisconsin Department of Justice regarding report.	0.60
08/30/16 DMG Review and prepare for meeting; attend meeting DCI and Sergeant Crawley; review statement.	<u>1.70</u>

FOR CURRENT SERVICES RENDERED

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RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
D. M. Guerin	11.20	\$250.00*	\$2,800.00
TOTAL CURRENT WORK			\$2,800.00
BALANCE DUE			\$2,800.00

PLEASE RETURN ONE COPY OF THIS STATEMENT WITH YOUR PAYMENT.
THANK YOU!