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January 6, 2020

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

Re: Communication from Attorney Coral D. Pleas on behalf of
Mentzou Moncrieffe
C.I. File No. 1032-2019-833

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

On December 31, 2018, Mr. Hentzou Moncrieffe states he received a call from Sgt. Andrew Tischer at approximately 11:45 a.m. advising him that Milwaukee Police Department (MPD) was outside of his home located at 9622 W. Greenwood, seeking entry in order to execute a search warrant. The case involved Mr. Moncrieffe's minor son that also resides at the residence.

Mr. Moncrieffe advised Sgt. Tischer that he would leave work and be home within 15 to 20 minutes in order to allow MPD to execute their warrant. Upon his arrival, he saw that a dozen officers and detectives had forced entry into his home. He found his front screen door damaged, the lock on the front door damaged, the front door itself breached and broken along with a bedroom door inside the home.

Mr. Moncrieffe's counsel, Attorney Pleas, contends that MPD officers acted unlawfully or negligently by forcing entry into the residence. Attorney Pleas indicates the situation was not an emergency because Mr. Moncrieffe had advised MPD that he would return home in a short period of time and allow them full access into his residence. As a result of the actions taken by MPD, Mr. Moncrieffe filed a claim alleging he suffered damages in the amount of \$5,396.94.

Sgt. Andrew Tischer explains that MPD executed a "knock" warrant at Mr. Moncrieffe's residence at approximately 12:06 p.m. Officers did properly announce their presence and knocked on the front door prior to entering. MPD's body camera footage captured the entry. Sgt. Tischer states he would not contact the target of a warrant. Furthermore, Sgt.



Tischer states he did not have Mr. Moncrieffe's contact information at the time of entry into the residence.


After they cleared the residence and found no one inside, Sgt. Tischer checked the caller ID feature on the Moncrieffe's landline, called various numbers, and then spoke to an unidentified female and Mr. Moncrieffe.

MPD acted within the scope of their authority and followed the standards and procedures of the Milwaukee Police Department while executing the search warrant at Mr. Moncrieffe's home. Therefore, we recommend that this claim be denied.

Very truly yours,



GRANT F. LANGLEY
City Attorney



KATRYNA C. RHODES
Assistant City Attorney

KCR:mal
Enclosure

April 29, 2019

APR 30 2019

3:40 A.M./P.M.

City Clerk
Attn: CLAIMS
200 East Wells Street, Room 205
Milwaukee, WI 53202-3567

RE: NOTICE OF CLAIM
9622 W. Greenwood Terrace
Milwaukee, WI 53224

CITY CLERK'S OFFICE
2019 APR 30 AM 9:52
CITY OF MILWAUKEE

Dear City Clerk:

The law firm of Pleas Williams, LLC represents Mr. Mentzou Moncrieffe. This Notice of Claim is presented to the City Clerk pursuant to Section 893.80, Wis. Stats.

On December 31, 2018 at approximately 11:45 a.m., Mr. Hentzou Moncrieffe, the owner of the home located at 9622 W. Greenwood Terrace, Milwaukee, Wisconsin, was contacted by telephone by a City of Milwaukee police Sgt. Tisater, who advised Mr. Moncrieffe that Sgt. Tisater was outside of the Moncrieffe home seeking entry in order to execute a search warrant for a case involving Mr. Moncrieffe's juvenile son who also resides at the home. Mr. Moncrieffe was not home at the time due to work, as it was a weekday. However, he immediately advised the sergeant that he would leave work and that he would be at his home within 15 to 20 minutes in order to allow the sergeant and other officers to have full access to his home to execute their warrant.

Mr. Moncrieffe arrived at home less than 20 minutes later to find his front screen door damaged, the lock on the front door damaged, the front door itself breached and broken along with a bedroom door inside the home. More than a dozen officers and detectives had forced entry to the Moncrieffe home before Mr. Moncrieffe had time to get there to let them in.

After an exhaustive search, the officers failed to find any items which were the subject of their search warrant. After the officers left, Mr. Moncrieffe discovered that there were actually 2 bedroom doors damaged along with the surveillance camera that he had installed for home security. Mr. Moncrieffe strongly takes the position, that the officers acted unlawfully or negligently by forcing entry to his home in a situation which was not an emergency when he had advised them that he would return home in a short period of time (15 to 20 minutes) and allow them full access. Due to the unlawful or negligent actions of the officers, Mr. Moncrieffe has suffered the following damages: