

GRANT F. LANGLEY
City Attorney

VINCENT D. MOSCHELLA
MIRIAM R. HORWITZ
ADAM B. STEPHENS
MARY L. SCHANNING
Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
JAY A. UNORA
KATHRYN Z. BLOCK
KEVIN P. SULLIVAN
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
JEREMY R. MCKENZIE
PETER J. BLOCK
NICHOLAS P. DESIATO
JOANNA GIBELEV
JENNY YUAN
KAIL J. DECKER
ALLISON N. FLANAGAN
LA KEISHA W. BUTLER
PATRICK J. LEIGL
HEATHER H. HOUGH
ANDREA J. FOWLER
PATRICK J. MCCLAIN
NAOMI E. GEHLING
CALVIN V. FERMIN
BENJAMIN J. ROOVERS
Assistant City Attorneys

July 15, 2016

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

Re: Communication from Attorney Steven C. McGaver, Gimbel, Reilly, Guerin
Brown, for legal fees for Police Sergeant Elizabeth Hallman

Dear Council Members:

Returned herewith is a document filed by Attorney Steven C. McGaver for attorney's fees for representing Police Sergeant Elizabeth Hallman. The claim is in the amount of \$425.00 for 1.70 hours of service billed at the rate of \$250 per hour, but should be in the amount of \$297.50, 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
Assistant City Attorney

JAS

Enc.

1032-2016-858:230331





April 12, 2016

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

RECEIVED

APR 15 2016

OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
2016 APR 14 P 2:01
CITY CLERK'S OFFICE

Re: *Sergeant Elizabeth Hallman*
Criminal Investigation on August 24, 2015, District 5

Dear Mr. Owczarski:

I hereby am submitting my bill for legal services in representing a City of Milwaukee employee Milwaukee Police Sergeant Elizabeth Hallman, in a criminal investigation.

On August 24, 2015, there was an incident at #5 District Police Station at 4th and Locust. A prisoner in custody with the Milwaukee Police Department attempted to hang himself in a cell. It appeared the prisoner would die.

Pursuant to the recently enacted section 175.47, *Stats.*, the Milwaukee Police Department immediately contacted the Department of Criminal Investigation ("DCI") to conduct an independent investigation considering what they define as a critical incident. John Culver, Jr. from DCI and Richard Tijerino from DCI, together with an intern, Kevin Harris began conducting interviews of the personnel and advised it was a criminal investigation.

Considering it was a criminal investigation, the City of Milwaukee could not, consistent with their obligation represent the individual sergeant. I was retained by Sergeant Elizabeth Hallman to represent her interests.

Ultimately, after conducting investigations and interviews we determined it was appropriate to submit to further questioning and review of the circumstances. The interviews began at approximately 6:00 p.m. and concluded at 11:00 p.m. on August 24, 2015.



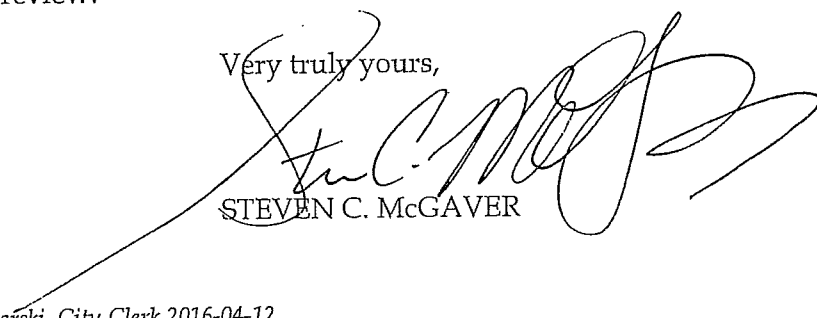


As a footnote the subject of the original complaint was a person by the name of Dexter Carter and it was DCI Case No. 154749. Mr. Carter did not die and was transported to the hospital, and several days later came back to the Police Department and thanked the police officers for their very professional and quick response to his then difficult mental state. I should add that their professional actions did, in fact, save Mr. Carter's life.

My published rate for representation in criminal matters is \$300.00 per hour; however, I submit this at a government rate of \$250.00 an hour.

Thank you for your review.

Very truly yours,



STEVEN C. MCGAVER

SCM/ker
Enclosure

MPSO/Hallman, Elizabeth/c/ Owczarski, City Clerk 2016-04-12

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APR 15 2016

OFFICE OF
CITY ATTORNEY

Gimbel, Reilly, Guerin & Brown LLP
Two Plaza East, Suite 1170 - 330 East Kilbourn Avenue
Milwaukee, WI 53202 - www.grgblaw.com
Telephone (414) 271-1440 - Facsimile (414) 271-7680

Family Law, Personal Injury, Criminal Law, Real Estate,
Business, Estate Planning, Civil & Commercial Litigation
in State and Federal Courts
Federal Tax ID 39-1094570

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OFFICE OF
CITY ATTORNEY

Page: 1
April 12, 2016
ACCOUNT NO.: 201532308M
STATEMENT NO.: 1

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

Criminal - Sergeant Elizabeth Hallman

STATEMENT

No Court Appearance.

08/24/15
SCM

Conference with client; attend interview
at Wisconsin Department of Justice DCI at District 5.

HOURS

0.70

08/27/15
SCM

Review file notes; prepare memorandum to file.

1.00

FOR CURRENT SERVICES RENDERED

1.70

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
Steven C. McGaver	1.70	\$250.00	\$425.00
TOTAL CURRENT WORK			\$425.00
BALANCE DUE			<u>\$425.00</u>

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

MILWAUKEE POLICE DEPARTMENT

May 9, 2016

TO: SGT. Elizabeth HALLMAN
DISTRICT : FIVE

RE: Receipt of Legal Services from Law Firm of
GIMBEL, REILLY, GUERIN and BROWN, LLP.

Attorney Steven C. McGAVER has made a claim with the City, indicating the attached was provided with legal services arising out of one of the following situations:

- 1) An incident occurring on August 24, 2015
- 2) An incident involving Dexter CARTER

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: Sgt. Elizabeth Hallman

Print your name: Elizabeth Hallman

Upon completion, please return this memorandum to the Internal Affairs Division at the Police Academy (Room 325) as soon as possible.

Christopher MARSHALL
Sergeant of Police
Civil Investigations Section

CRM