

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
LINDA ULISS BURKE
Special Deputy City Attorneys



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DAVID R. HALBROOKS
JAN A. SMOKOWICZ
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DONALD L. SCHRIEFER
EDWARD M. EHRlich
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MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

November 18, 2002

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

Re: Communication from Attorney Laurie A. Eggert, Eggert Law Office, S.C. for legal fees
for Police Officers Michael Mead and Aaron Kohlhepp
C.I. File No. 01-S-272-7; ELO No. 1640

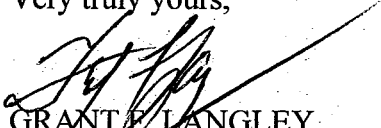
Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Michael Mead and Aaron Kohlhepp. The claim is in the amount of \$822.18 including \$8.18 in disbursements for 7.40 hours of service billed at the rate of \$110.00 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. No criminal charges were brought against the Police Officers on whose behalf this claim was filed.

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. Sec. 895.35, Stats., *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:enm
Enc.

2276

EGGERT LAW OFFICE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 278-8750
FAX (414) 278-8990

August 2, 2001

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

CITY OF MILWAUKEE
AUG - 6 PM 2:35
RONALD D. LEONHARDT
CITY CLERK

**RE: MPD Criminal Investigation of POs Michael Mead and
Aaron Kohlhepp
Allegations Regarding Mr. Jerry Brock
Date of Incident: May 29, 2000
Location of Incident: 3048 North Palmer Street
ELO No.: 1640**

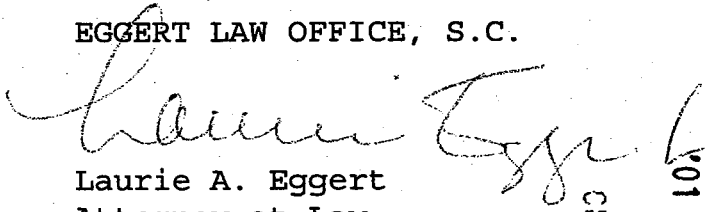
Dear Mr. Leonhardt:

The above-named police officers have retained us to represent them in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent them, and as they were performing the duties of their office at the time of the events giving rise to the incident, the claim is hereby made on their behalf for the indicated legal fees. This incident involved a foot chase. Charges will not be issued against the officers. Attached is a copy of the clearance report and an itemization of the time and services rendered.

Sincerely,

EGGERT LAW OFFICE, S.C.


Laurie A. Eggert
Attorney at Law

JC/ldl
MEADKOHL

11/14/02
O.K.

JAS

Letter

2276

CITY OF MILWAUKEE
RECEIVED
AUG - 6 PM 3:14
OFFICE OF
CITY ATTORNEY

EGGERT LAW OFFICE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414)276-8750
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August 2, 2001

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee WI 53202

RE: MPD Criminal Investigation re: Mr. Jerry Brock
Regarding: POs Michael Meade and Aaron Kohlhepp
Date of Incident: May 29, 2000
Location of Incident: 3048 N. Palmer St.

Professional services

	<u>Hours</u>
06/01/00 Office conference with clients; open file; memo to file; telephone call to IAD.	1.10
07/10/00 Review of file; telephone call to IAD.	0.40
08/01/00 Review of file; telephone call to IAD.	0.20
08/03/00 Telephone call from client.	0.10
08/08/00 Telephone call to IAD; telephone call to clients.	0.40
08/10/00 Review of file; telephone call to POs Kohlhepp and Meade; meeting with POs Kohlhepp and Meade at IAD; attend PO Kohlhepp and Meade's separate statements to IAD; travel; memo to file.	2.10
09/26/00 Review of file; telephone call to IAD; memo to file.	0.20

Mr. Ronald D. Leonhardt

Page 2

	<u>Hours</u>	
10/26/00 Telephone call from IAD; review of file; telephone call to POs Meade and Kohlhepp.	0.50	
11/02/00 Telephone call from IAD; meeting with POs Meade and Kohlhepp; discussion with IAD.	0.80	
11/10/00 Telephone call to IAD.	0.10	
11/16/00 Discussion with IAD.	0.20	
12/05/00 Review of file.	0.10	
12/12/00 Telephone call to IAD.	0.20	
01/09/01 Review of correspondence from DA; correspondence to MPD Open Records; correspondence to clients.	0.50	
03/21/01 Review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	7.40	\$814.00
Additional charges:		
03/21/01 MPD Open Records request		8.18
Total costs		<u>\$8.18</u>
Total amount of this bill		<u>\$822.18</u>
Balance due		<u><u>\$822.18</u></u>

Mr. Ronald D. Leonhardt

Page 3

(Rate: \$110.00 per hour through 12/31/1998)

MILWAUKEE POLICE DEPARTMENT

CIU/Internal Affairs Division

SUMMARY

Thursday, January 18, 2001

**IN THE MATTER OF: CIU#00-149-BATTERY/ MISCONDUCT IN PUBLIC OFFICE
P.O. MICHAEL MEADE, PR#63610
P.O. CHRISTIAN OSELL, PR#64291
P.O. JOHNNY SANTIAGO, PR#45033
ALL OF DISTRICT FIVE, EARLY SHIFT**

**TO: DALE T. SCHUNK
POLICE COMMANDER**

SIR:

This report was dictated by Detective Louis JOHNSON, of the Criminal Investigation Unit /Internal Affairs Division (CIU/IAD), early shift.

ALLEGATION:

Complainant, Jerry L. BROCK, alleges on May 29, 2000 that he was chased into his house by Officer OSELL. Officer OSELL enters his residence, throws him to the floor and punches the complainant twice to the ribs causing pain. Officers SANTIAGO and MEADE later enter the residence and the complainant alleges Officer SANTIAGO stepped on his arms and that unknown officers later came out of the bathroom with marijuana, which he believes was planted.

INVESTIGATION:

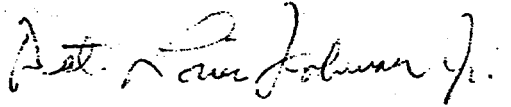
On Monday, May 29, 2000, at 7:15 p.m., Police Officers MEADE and OSELL observed the complainant, Mr. BROCK, shooting dice at the rear of his residence. Upon seeing these officers Mr. BROCK then fled into his residence where Officers MEADE and OSELL gave chase. Mr. BROCK alleges that Officer OSELL upon entering his residence threatened to spray him with O.C. spray if he didn't open the bathroom door. Mr. BROCK states he then opened up the door and Officer OSELL grabbed him by his neck, threw him to the floor and punched him to his ribs twice causing him pain. Mr. BROCK states other officers then came after Officer OSELL had called for a backup and one of the

It should be noted that Mr. BROCK was charged May 31, 2000 with Possession of Marijuana Second and Subsequent Offense and Resisting/Obstructing an Officer charge was no processed.

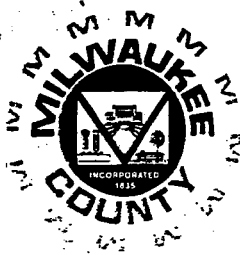
CONCLUSION:

On October 18, 2000, Mr. BROCK'S complaint of Battery/Misconduct in Public Office was reviewed in the Milwaukee County District Attorney's office before Deputy District Attorney Jon REDDIN. Deputy DA REDDIN upon review of this case did no process both charges of Battery and Misconduct in Public Office against said police officers. Deputy DA REDDIN believed that there was not enough credible evidence to convince a jury beyond a reasonable doubt that a battery had occurred and that the physical force used by the police officers involved to take Mr. BROCK into custody, who appeared to be resistant, was necessary. This case will thus be cleared as warrant refused.

Respectfully submitted:



Louis JOHNSON
Police Detective
CIU/IAD, Early Shift



OFFICE OF DISTRICT ATTORNEY

Milwaukee County

E. MICHAEL McCANN • District Attorney

Robert D. Donohoo
Jon N. Reddin
Carol Lynn White
Patrick J. Kenney
James J. Martin

Thomas A. Schultz
Alexander G. Stenarz
Fredric E. Matzke
William J. Moikar
Gerald R. Falk
Donald S. Jackson
Gale G. Shelton
Terry Magowan
Gary D. Mankorn
David Robles
Deborah Daley
Peg Tarrant
Douglas J. Simpson
Cynthia G. Brown
Norman A. Gahn
George N. Pletz, III
Stephanie Gnana Rothstein
Carol E. Stauder
Steven H. Glamm
Mary Anne Smith
Mark S. Williams
Linda Johnson
John M. Stober
Thomas L. Potter
David Fess
Rayann Chandler Szychinski
Elisa Castellon
Carole Manchester
Kenneth R. Berg
Benbow P. Cheesman, Jr.
Lovell Johnson, Jr.
Warren D. Zier
Timothy J. Cotter
Carol Barry Crowley
Steven V. Lucata
Brad Vorpani
Jane Carroll
Paul Tiffin
Miriam S. Falk
Phyllis M. DeCarvalho
Dennis P. Murphy
Christopher Ford
Christine M. Kraus
Philip A. Anett
Thomas J. McAdams
Bruce J. Landgraf
Mary K. McCann
Dennis J. Stigil
David M. Lerman
Janet C. Protasiewicz
DeAnn L. Heard
Debra M. Scano, SSND
Patricia A. McGowan
Irene Parthum
Karen A. Loebl
Nancy Ettenheim
Marcella DePeters
JoAnn M. Hornak
Catherine A. Gaudreau
Lori S. Korbium
Karine O'Byrne
Mara Dixon
James W. Fnsch
Kurt B. Benkley
James C. Griffin
William P. Papp
Audrey Skwierawski
Joanne L. Hardtke
John T. Chsholm
Christopher A. Liegel
Megan P. Carmocoy
Laura A. Crivello
Derek C. Mosley
Shawn Pompe
Brian J. Resier
Karen A. Lynch
Allison M. Ritter
Kevin R. Shomin
Kelly L. Hedge
Jennifer Ryppel
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Shannon Carnock Schmidt
Rebecca F. Dallet
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Jeffrey J. Attonburg
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Deborah L. Mills
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Kent L. Lovam
Paul R. Sander
Nelson W. Phillips, III
Bradford J. Logsdon
Patrick J. Farley
Joy Bertrand
Margaret M. Zimmer
Bruce W. Becker
Michael T. Mahoney
Mark D. Bensen
Mary M. Sownski
Kathryn K. Sarnier
Jeanette Corbett
Jeffrey P. Greipp
Thomas C. Binger
David Maas
Jeremy L. Resar
Daniel J. Gabler
Sara P. Scullen
Gense M. Hooks
Brent Nister
T. Christopher Dee
Kathanne Kucharski
Lisa P. Flocker
Robin J. Rosche
Phillip R. Rangsuebsin
Tiffany J. Harris
Emory H. Booker, II
Daniel R. Humble
Jacob D. Corr
David H. Weber
Joy Hammond

January 4, 2001

JAN 5 2000

Chief Arthur Jones
City of Milwaukee Police Department
749 W. State Street
Milwaukee, WI 53233

Dear Chief Jones:

On May 29, 2000, City of Milwaukee bicycle patrol officer Michael Meade observed Jerry Brock and others gambling on the street. Upon seeing Meade and his partner, Brock said "shit, the police," picked up some of the gambling money and ran. Brock ran to and entered his mother's house, pursued by Meade. At this point Brock pulled out a baggie and ran toward the back of the house, with Meade in pursuit. Brock went into a bathroom, was ordered out and was subsequently arrested. Police found marijuana floating in the toilet.

Brock alleges that as he came out of the bathroom, Meade grabbed him by the neck, threw him on the floor and handcuffed him. Brock further alleges that Meade punched him in the ribs twice, causing pain. He also contends that the police planted the marijuana, although he subsequently pled guilty to possessing it.

Brock's mother stated that as Meade entered the house he knocked over John Young, the caretaker of a disabled man at that address. She says that Meade then pulled Brock out of the bathroom, ramming Brock into the wall as he did so. She further contends that Meade slammed Brock to the floor, handcuffed him, punched him in the jaw and slapped him. She also says that two officers rammed Brock into the refrigerator three times.

John Young says no one knocked him over, and says that he doesn't know if Brock had his head slammed into the floor or if it was just laying there as he was being arrested. He says the police then picked Brock up somewhat roughly and escorted him out of the house. Young says that Brock had been gambling outside of the house, rolling dice as he does every day.

A neighbor saw police bring Brock out of the house, and says that Brock was refusing to walk and so was having his legs dragged. She did not see the events that transpired in the house.

Chief Jones
March 29, 2000
Page 2

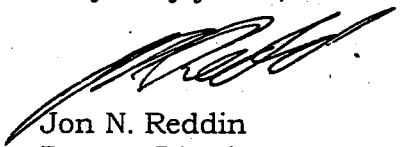
Officer Christopher Osell says that no officers beat Brock, but that Brock's mother continued to yell that they were beating him, even though they weren't. He said that at one point officer Johnny Santiago placed Brock against the refrigerator.

Meade says that during his attempts to arrest Brock he told Brock's mother to tell Brock to put Brock's hands behind Brock's back, she did so and Brock complied. Meade denies striking Brock. Santiago and Osell deny striking Brock, and say they did not see any other officers strike him.

Brock's mother's statement is not particularly credible, since it not only contradicts the statements of the three officers, but that of her son and Young. Brock's complaint is that Meade punched him in the ribs twice, causing pain. All of the officers deny that this happened, and neither Young nor Brock's mother corroborates that it did.

There is simply not enough credible evidence to convince a jury beyond a reasonable doubt that a battery occurred, beyond incidental physical force required to arrest a resistant defendant, and for that reason I am declining prosecution.

Very truly yours,



Jon N. Reddin
Deputy District Attorney

JNR:jr

cc/ Jon Cermele

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 18, 2001

TO: P.O. MICHAEL MEAD
DISTRICT FIVE

RE: Receipt of Legal Services from Law Firm of
Attorney

Attorney LAURIE EGGERT 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 MAY 29, 2000.
- 2) A citizen's complaint made by JERRY BROCK
- 3) A police shooting incident occurring on

Is this information correct?

YES ☒ NO ☐

Did you receive legal representation
in this matter?

YES ☒ NO ☐

Your signature: P.O. Michael J. Meade MEADE

Print your name: P.O. MICHAEL J. MEADE.

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

St. Settingsgaard
STEVEN M. SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

DTS:dnp

MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION
01 SEP 24 AM 10:12

RECEIVED

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 18, 2001

TO: P.O. AARON KOHLHEPP
SOB VCD

RE: Receipt of Legal Services from Law Firm of
Attorney

Attorney LAURIE EGGERT 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 MAY 29, 2000
- 2) A citizen's complaint made by JERRY BROCK
- 3) A police shooting incident occurring on

Is this information correct?

YES ☒ NO ☐

Did you receive legal representation
in this matter?

YES ☒ NO ☐

Your signature: *Aaron Kohlhepp*

Print your name: Aaron Kohlhepp

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

Steven M. Settingsgaard
STEVEN M. SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

DTS:dnp