

# CITY OF MILWAUKEE

Form CA-43

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
Deputy City Attorney

**THOMAS E. HAYES**  
**PATRICK B. McDONNELL**  
**CHARLES R. THEIS**  
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY  
200 EAST WELLS STREET, SUITE 800  
MILWAUKEE, WISCONSIN 53202-3551  
TELEPHONE (414) 286-2601  
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THOMAS O. GARTNER  
LINDA ULISS BURKE  
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ROXANE L. CRAWFORD  
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HAZEL MOSLEY  
HARRY A. STEIN  
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MAURITA F. HOUREN  
JOHN J. HEINEN  
MICHAEL G. TOBIN  
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SUSAN E. LAPPEN  
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CHRISTOPHER J. CHERELLA  
LEONARD A. TOKUS  
MIRIAM R. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

May 14, 2001

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 Officer Frank Velasquez  
C.I. File No. 00-S-430/ELO 1561**

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Frank Velasquez. The claim is in the amount of \$394.93, including \$9.93 in disbursements for 3.50 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 Officer 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

# CITY OF MILWAUKEE

Form CA-43

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November 29, 2000

BEVERLY A. TEMPLE  
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Assistant City Attorneys

Commander Dale Schunk  
Milwaukee Police Department  
Internal Affairs Division  
6680 North Teutonia Avenue, Rm 325  
Milwaukee, WI 53209

Re: C.I. File No. 00-S-430  
Communication from EGGERT LAW OFFICE

Dear Commander Schunk:

Enclosed please find a claim filed by attorney Laurie A. Eggert for Attorney's fees incurred during her representation of officers Anderson, Clarke/Polka, Fonte, Harris, Kronschnabel, Larson/Rohde, Newport, Ortiz/Miller, Reaves/Davis, Riley, Santiago/Schellhammer, Sirna, Stojavljevic, et al., Van Erden/Smith, Velasquez, Washington/Jenkins.

Please determine whether these officers were in fact involved in the matter described in Ms. Eggert's claim, and have these officers verify Ms. Eggert's representation. Thank you for your anticipated cooperation in this matter.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Jan A. Smokowicz', written over a light-colored background.

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:beg  
Enclosure

**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  
FAX (414) 276-8906

November 20, 2000

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

**RE: MPD Criminal Investigation of PO Frank Velasquez  
Allegations Regarding Mr. DeWayne Young  
Date of Incident: May 3, 2000  
Location of Incident: 2338 N. 15<sup>th</sup> St.  
ELO No.: 1561**

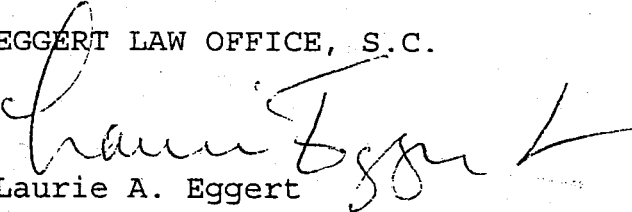
Dear Mr. Leonhardt:

The above-named police officer has retained us to represent him in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent him, and as he was performing the duties of his office at the time of the events giving rise to the incident, the claim is hereby made on his behalf for the indicated legal fees. This incident involved the execution of a search warrant. 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

5/14/2001

O.K.

JAS

Letter # 2276

JC/ldl  
VELASQUEZ

12/27/00

DET VELASQUEZ IS SUSPENDED  
INDEFINITELY PENDING A  
CRIMINAL INVESTIGATION.

**EGGERT LAW OFFICE, S.C.**

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele

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FAX(414)276-8906

November 20, 2000

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

RE: MPD Criminal Investigation re: Mr. DeWayne Young  
Regarding: Det. Frank Velazquez  
Date of Incident: May 3, 2000  
Location of Incident: 2338 N. 15th St.

Professional services

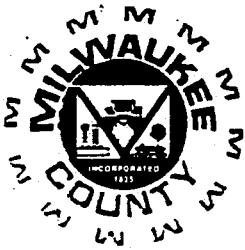
	<u>Hours</u>
5/10/00 Telephone call from client; open file.	0.50
5/11/00 Office conference with client; memo to file.	0.90
5/15/00 Telephone call from client.	0.20
6/8/00 Discussion with IAD; telephone call to client.	0.40
6/23/00 Telephone call to IAD.	0.10
8/18/00 Telephone call to IAD.	0.30
9/8/00 Discussion with IAD; review of correspondence from DA; correspondence to MPD Open Records; correspondence to clients.	0.60
11/9/00 Review of correspondence from MPD Open Records; correspondence to client; close file.	0.50

Mr. Ronald D. Leonhardt

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	<u>Hours</u>	<u>Amount</u>
For professional services rendered	3.50	\$385.00
Additional charges:		
11/9/00 MPD Open Records request		9.93
Total costs		<u>\$9.93</u>
Total amount of this bill		<u>\$394.93</u>
Balance due		<u><u>\$394.93</u></u>

(Rate: \$110.00 per hour)



OFFICE OF DISTRICT ATTORNEY

# Milwaukee County

E. MICHAEL McCANN • District Attorney

September 7, 2000

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

Dear Chief Jones:

On May 3, 2000, Dewayne Young filed a complaint alleging that unknown Milwaukee Police officers used excessive force in arresting him as he was hiding under a bed during the execution of a search warrant on March 15, 2000. His specific allegations are that he was kicked in the face, causing a bloodshot eye, and that a female officer stepped on his hand.

It should be noted that Young's booking picture shows that neither of his eyes is bloodshot.

Although numerous officers participated in the execution of the search warrant, and despite the fact that Young apparently cannot identify either of the officers he said battered him, your department presented Robert Stelter, John Kaltenbrun, Lisa Ordonez and Frank Valasquez for battery charges.

Young did not complain about this incident until 6 weeks after it occurred, apparently after he spoke to some of his pod mates in the jail. He cannot identify anyone. He had no visible injuries. This case is unprovable, and no charges will be issued.

Referral of a person to our office for issuance of criminal charges is a serious matter, potentially affecting liberty. It is not to be taken lightly. Before a case is referred, fairness dictates that there at least be probable cause to believe that a crime was committed and that a particular suspect committed it. In this case, after a thorough investigation by your detectives, probable cause to believe that any of these officers committed a crime did not exist. Indeed, the allegation is that two officers, not four, committed battery. I am at a loss to understand why anyone was referred here for charges, since no one was identified. I am astounded that four were referred, when it is clear that, even if Young's allegations are true and even if he could identify the perpetrators, only two officers were involved.

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

Thomas A. Schulz  
Alexander G. Stoenarz  
Frederic E. Mastaglio  
William J. Mosler  
Gerald R. Falk  
Donald S. Jackson  
Gale G. Shelton  
Terry Magowan  
Gary D. Mehkorn  
David Robles  
Deborah Daley  
Peg Tarrant  
Douglas J. Simpson  
Cynthia G. Brown  
Norman A. Gahn  
George N. Pnietz, III  
Stephane Ginesse 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 Szychniak  
Elisa Castellan  
Carole Manchester  
Kenneth R. Berg  
Benbow P. Cheesman, Jr.  
Lovell Johnson, Jr.  
Warren D. Zier  
Timothy J. Cotter  
Carol Berry Crowley  
Steven W. Licata  
Brad Vorpahl  
Jane Carroll  
Paul Tiffin  
Miriam S. Falk  
Phyllis M. DeCarvalho  
Dennis P. Murphy  
Christopher Ford  
Christine M. Kraus  
Phillip A. Anzell  
Thomas J. McAdams  
Bruce J. Landgraf  
Mary K. McCann  
Denis J. Singl  
David M. Leman  
Janet C. Prosiawicz  
DeAnn L. Haard  
Debra M. Sciano, SSND  
Patricia A. McGowan  
Irene Parthum  
Karen A. Loebeil  
Nancy Ellenheim  
Marcella DeFavers  
Catherine A. Gaudreau  
Lori S. Korbium  
Kanne O'Byrne  
Mana Dizon  
James W. Frisch  
Kurt B. Benkley  
James C. Griffin  
William P. Pipp  
Audrey Skuterawski  
Joanne L. Hardtke  
John T. Chesholm  
Christopher A. Lisger  
Megan P. Carmody  
Laura A. Crivello  
Derek C. Mosley  
Shawn Pompe  
Brian J. Resler  
Karen A. Lynch  
Jayne Davis Dewere  
Allison M. Ritter  
Kevin R. Shomon  
Kelly L. Hedge  
Jennifer Ryppl  
Beth D. Zirgibel  
Shannon Carmack Schmidt  
Rebecca F. Dallet  
Mark A. Sanders  
Paul C. Dedinsky  
David T. Malone  
Catherine B. Scherer  
Julius Kim  
Jeffrey J. Ahnberg  
Rachael Coasters  
Deborah L. Mills  
Paul Wabitsch  
Kent L. Lovem  
Paul R. Sander  
Roy L. Williams  
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. Sownsto  
Kathryn K. Sauer  
Jeanette Corbett  
Jeffrey P. Greipp  
Thomas C. Binger  
Hendi Bosswurm  
David Maas  
Jeremy L. Resar  
Daniel J. Gadhier  
Sara P. Soulen  
Gensie M. Hooks  
Brent Nistler  
T. Christopher Dee  
Katharine Kucharski  
Lisa P. Fricker

Chief Jones  
March 29, 2000  
Page 2

This is a situation that is becoming all too common. I spend at least an afternoons a week reviewing cases sent to me by your internal affairs division. The investigations are uniformly thorough. No one, however, seems to be reviewing those investigations and exercising some discretion as to which cases should be referred to me and which should be handled internally or simply closed because they have no merit. If such a review was being conducted, the majority of the cases would not be referred here, since nothing close to probable cause exists.

Very truly yours,



Jon N. Reddin  
Deputy District Attorney

JNR:jr

cc/