GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD LINDA ULISS BURKE VINCENT D. MOSCHELLA Deputy City Attorneys



February 7, 2013

RECEIV.

1 3 28 20.0

OFFICE OF CITY ATTORNEY

Karen Jackson 4172 North 13th Street Milwaukee, WI 53209

RECEIVED

FEB 28 2013

OFFICE OF CITY ATTORNEY

RE: C.I. File No. 12-S-179

Dear Ms. Jackson:

We have received your claim for the amount of \$2,339.57 relating to the property damage you sustained on January 2, 2012 at your residence located at 4172 North 13<sup>th</sup> Street in Milwaukee, Wisconsin.

Our investigation reveals that on January 2, 2012 the Milwaukee Police Department served a "Knock" search warrant due to the prior arrest of Edlin Jackson for narcotics possession, and the possibility of narcotics being stored at 4172 North 13<sup>th</sup> Street. The search warrant involved lawful search of the entire residence (garage included), and any personal property on the premises. The Milwaukee Police Department executed a lawful search warrant which necessitated the search of the property. The actions of the Milwaukee Police Department in the investigation of this case were proper as it is mandatory to retrieve all evidence. Since the police were not negligent in this matter, the City of Milwaukee would not be liable. Therefore, we are denying your claim.

CITY CLERN'S UFFI

THOMAS O. GARTNER 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** MELANIE RUTLEDGE JAY A. UNORA DONALD L. SCHRIEFER EDWARD M. EHRLICH EDWARD M. EHKLICH
TEONARD A. TOKUS
MRIAMEH HORWITZ
MARYNETI REGAN
CO'SULLIYAN-CROWLEY
KATHRYNEZ BLOCK
ELOISA DE LEÓN
ADAM B STEPHENS KEVIN P. SULLIVAN THOMAS D. MILLER JARELY MERUIZ HOBIN APPEDERSON CHRISTINE M. QUINN MARGARET C. DAUN JEREMY R. MCKENZIE MARY L. SCHANNINS PETER J. BLOCK NICHOLAS P. DESIATO Assistant City Attorneys

Karen Jackson February 7, 2013 Page 2

If you wish to appeal this decision, you may do so by sending in a letter within 21 days of receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

RANT LANGLEY

City Attorney

KARI GIPSON Investigator Adjuster

KBG:cdr

1032-2012-1931/189112

ALIW CH



53202

Milw City Cleck.

200 East Wells Street

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FEB 28 2013

OFFICE OF CITY ATTORNEY

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#### CITIZEN COMPLAINT FORM

Milwaukee Police Department

Professional Performance Division 6680 North Teutonia Avenue Room 325

Milwaukee, Wisconsin 53209 Website:www.milwaukee.gov/police



INFORMATION	ABOUT YOU	
Last Name: Dackson First Name:	Karen	Middle Initial:
Birth Date: 3/20/1963 *Sex Female	*Race BIK	Email: KJack414 @ Het mail
Address: 4172 N. 13th 5th. Cit	y: Milwi	State: <u>Wi</u> Zip: <u>53209</u>
Home Phone: 414-372-4869 Work Phone: 414-	289-6471 Cell Pl	hone: 414-477-3020
Agent Representing Complainant:	Relationship:	Phone:
* To be used for Milwaukee Police Department statistics.		
INFORMATION ABOU	The second secon	
Location of Incident: 4172 N. 13 <sup>+1</sup> St	- milwiwi	53209
Date of Incident: 01/02/2012 Tir	me of Incident: 8:0	a.m./p.m) (circle one)
INFORMATION ABOU	T THE EMPLOYEE	
Department employee(s) involved: Name(s) and/or physical description  FREE SECTION  STATEMENT/DESCRIP  Describe the incident in detail:	TION OF INCIDENT	attached t
write	en comp	Plaint
Milwau Lee Williams Police Deptonia incident Report a	.,,	ase see  portant  additional  information

# Complaint against the

Police Officers involved: P.O. Michael Flannery, Daniel Roberson, P.O. Scott Kaiser, Sgt. Michael Karwoski, P.O. Steven Kuspa, P.O. Thomas Maglio, P.O. Michael Lopez, P.O. Robert Wilkinson, P.O. John Ivy, P.O. Rodolfo Alvarado, P.O. Brian Czarnecki, P.O. Lane Grady, P.O. Matthew Terpstra,

P.O. Michael Miller and P.O. Trevor Deboer.

abose of Authority, Conduct unbecoming of a law enforcement office,
- Lack of Courtesy, Lock of Professionalism, Retaliation, Palsante

Witnesses: Kobe C. Jackson B/M, 12/25/98 4172 N. 13<sup>th</sup> St. Milwaukee, Wi 414-477-3368

Jennifer M. Jackson B/F, 12/05/97, 4172 N. 13<sup>th</sup> St. Milw, WI 414-491-0008

Breonna J. Gipson B/f 4/25/97 Milw, WI 414-719-8132 Please (ontact lacent of CVirginia poince

Stephanie Jackson B/F 7/14/84 Milw., WI 414-313-9088

Melissa Jackson B/F 9/29/88 Milw., WI 414-517-1068

The first contact that I had with the officers listed on the complaint form was on 1-1-2012 at Appox. 7pm, when they approached me in the driveway of my home, stating that they had just Arrested my husband Edlin Jackson , and found powder cocaine in his possession (Note: Edlin Age 49, at the time had no criminal record what so ever). Edlin did admit to the officers during the arrest that he did use cocaine, however they stated that they wanted to search our home( do a Walk through") to check out whether or not drugs were inside the residence. I declined to let The officers in the house since my children and other family members were inside, and I didn't Feel comfortable having armed police officers walking around. On 1-2-12 at appox. 8pm the The same officers came to the front door of our home again, this time armed with assault Weapons , dogs etc. shouting "Milwaukee Police open the door"! I immediately opened the door,

And when they entered with their guns pointed directly at my head, I was ordered to get

On the floor face down. I fully complied and was then asked who else was in the house. I stated

That my son 13, my daughter 14 and her 13 and 14 yr. old girlfriends were all upstairs. The

Officers then went to the bottom of the stairwell and yelled for the kids to come down one by

One. As each one of the kids came down, the officers pointed their guns directly at them and

Told them to walk down the stairs backwards with their hands behind them. As each child

Reached the bottom of the stairs they were grabbed, handcuffed and searched. They were

Then brought into the living room area of the house where I was already handcuffed and

Sitting on the couch. The three girls were then told to kneel down on their knees with their

Hands still cuffed behind them (Note: my 13 year old son was the only one that was not

Handcuffed, he was placed sitting next to me on the couch). Then Officer Flannery stated to me

"Remember Me?" "You should have let us in last night and this would not have happened".

9

Then he said (in front of the kids) "your Mom is going to jail", as though he found humor in Making the statement. Although the kids were very cooperative and obviously frighten they were still forced to remain handcuffed and on their knees the whole time. Officer Flannery then started asking me questions (again in front of the kids) like, "Do you use Drugs? "Does your husband use drugs etc., until I finally said I needed legal representation. I was then taken into the kitchen and read the search warrant. When I asked "what happens When nothing is found"? The officer stated "Oh I'm sure we'll find something". I was then taken back into the living room with the kids. The parents of my daughters two friends were called and remained handcuffed, until their parents arrived to see them that way. While my son was calling a family member to pick himself and my daughter up, Officer Flannery made the remark(directly to my son) "That if you can't reach anyone, I'm going to have to call social services, like he purposely wanted to intensify the fear that my children were already experiencing. All of the officers present acted as though the whole situation was amusing, and like they were actually enjoying themselves. At this point, I became furious and stated that they were all "Cowards"! When the children had all been released to relatives, the officers then began searching the home "for drugs". The search from what I could hear, sounded like an act of vandalism. I could hear crashing and smashing sounds throughout the house. There were two officers (one male and one female) in the living/dinning room areas, where I was sitting, who were suppose to be looking for drugs but, were basically reading through my personal papers etc. (Note: they found and kept a copy of my payroll check stub and my business card). When they did finally start looking through cabinets etc. the male officer broke an item right In front of me. Later on I was told I was going to jail. When I asked for what? I was told I was Being arrested for possession of cocaine. Note: According to the police report, the officers tested the substance that they "claimed they found" while I was still at the house during the the search, and the substance tested negative for being any type of drug, yet I was still arrested. 13

So why was I arrested?? I asked the officers John Schott (squad 945) and P.O. Andrew Molina who were going to transport me to the Milw. City Jail, if I could take my purse along,

It was told by the officers, that I wouldn't need it. Wouldn't need It?? How would they know I wouldn't need it? I feel this statement was made by the officers Because they knew that I was being falsely arrested, and for reasons that were definitely Unsubstantiated (No drugs were ever found, yet I was still arrested). I was later transported to The Milw. County jail, and told that I was arrested for being the Keeper of a Drug House. Keeper Of a Drug House? Why and how could I be arrested for being the Keeper of a Drug House, if no Drugs were ever found in or outside of the home? And these officers knew this before I was Even told I was being arrested, and like It was stated in their own police report, they tested The substance that they so called found while at the home, and it tested negative for being any Type of drug. They didn't even have any drug paraphernalia listed as being part of the evidence. The evidence that they had listed in the report consisted only of photos (of my husband and Myself), several pieces of our mail, and the white powdery substance (which as I stated before Tested negative for being any type of drug).

I truly believe these officers came to our home with a malicious intent. They were angry

That I had refuse to let them into our home on 1-1-2012, and decided to do whatever it took

(in this case getting a search warrant) to humiliate me, terrorize my children, and to vandalize

Our home. Since they knew I didn't have any type of arrest record of any kind(at age 49) they

Decided to,

Falsely arrest me, even though they clearly knew no charges would ever be filed (due to having No evidence to support the arrest) just to ensure that I would at the very least have an arrest

14-

Record (and a criminal one at that).

I've worked at my current job for over 23 years, but officer (Scott Kaiser) who

Completed the police report, listed me as being unemployed, even though officers took one

Of my Ceridian paycheck stubs and one of my business cards with them, and told me

(In a threatening manner) that they were going to call my boss and inform my boss of what had

Happened at my home. So why would the officer lie, and state that I was unemployed?

Because he wanted to make it look like I didn't work and sold drugs for a living, so he lied about

My employment status. He even listed my occupation as being that of a laborer, I've never

Worked as a laborer. After having to spend two days in the Co. Jail (with no bail). I was released,

And was just told I was free to go, no bail, no court date, no nothing, just you're free to go.

However my property had been shipped out to the House of Corrections in Franklin, WI, so,

I was forced to wear home some old street clothes that had been left by some former inmates.

What would I like to see happen? Well I would like the incident to be formally investigated.

I would like all of the officers involved to be required to engage in some type of intensive

Sensitivity training/or retraining. I would like the officers to be held accountable for their

Unprofessional actions of: Making a false arrest, making false statements on a police report,

And for the very unprofessional way that my children, their friends and myself were treated

(The unnecessary and insensitive comments that were made etc.). I would like

My arrest record to be cleared, since there was clearly no reason to support my arrest, and

15

The arresting officers knew this prior to my arrest. I want my computer arrest record cleared As well, and my computer file blinded. I want my fingerprints, and all my mug shots cleared

As well, and my computer the blinded. I want my inigerprints, and all my mag shots cleared off all Records and turned over to me. My family and I would like to be reimbursed

For the numerous items in our home that were purposely and unnecessarily destroyed,

Damaged, and missing. For example: Mirrors were taken of the walls and broken, the photos of

Our children that were in

Frames, were smashed, numerous record albums and CD's were broken in half, vases, lamps,

And other household items were just literally destroyed. Note: I have photos /video footage of

The aftermath of this vandalistic search.

I truly hope that this matter will be looked into by the proper authorities, to ensure that other

Families/citizens don't have to endure what my family had to endure. Our family, especially

Our children are still suffering emotionally, because of the terrorizing actions of these officers,

And, will probably have permanent emotional and mental scars, as a result of this nightmare.

Please contact me if there are questions or further information needed regarding this matter,

And, I will look forward to a response, and to the outcome of this investigation.

Thank you,

Karen Jackson and family (Note: I can be contacted at 414-477-3020, or at 414-372-4869)

CC:

NPAP (National Police Accountability Project) Boston, MA, State Rep Leon Young

Milwaukee Police Districts: 5 and 7, and Milwaukee Police Administration, NAACP Mllw

X

Additional/Important information that was not included in

the original complaint:

 During the arrest on 1-2-12, I (Karen Jackson) was NEVER, NEVER, NEVER ever, read my Miranda Rights.

2. I have lived at my current address for over 44years. I have been the property owner for the last 24yrs.

(My parents were the prior owners).

2333 N. 49TH ST

Milwaukee, WI 53210

120020147

Supplement No 0002

Reported Date
01/05/2012
Nature of Call
DRUGSNARC
Officer
MOLINA, ANDREW J

(414) 935-7502

Acimi	nistr	ative Ir	nforma	tion	1			11				
Agency	ALL SECTION SHOWS AND ADDRESS.			Incident No		Supplemen				Reported Time   CAD Call No		
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Approval Da	ate		Approval Tim 21:27:									
Mole		erand										
Gang Act?   Gang Name   Weapon Used   NO   NONE   NONE						Crime Code(s) DRUG RELATED						
Supp	leme	nt					-/10					

This supplemental report is written by PO Andrew MOLINA, assigned to the Neighborhood Task Force, Street Crimes Nights.

On Wednesday, 01-04-12 at 2:38 PM, I presented the case regarding Karen L. JACKSON to ADA Karl HAYES, who decided to "no process" the charge of Keeper of a Drug House due to lack of sufficient evidence.

2333 N. 49TH ST

Milwaukee, WI 53210

120020147

Supplement No

Reported Date
01/03/2012
Nature of Call
DRUGSNARC
Officer

FLANNERY, MICHAEL J

(414)935 - 7502

Administrative In	formation								
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Location					City	1	ZIP Code	Rep Dist	
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SEVENTH DISTRICT	- EARLY	KAISER,	SCOTT I		SPECIALTY	UNIT	018541		
Assignment		RMS Transfer	Propi	erty?	Approving Officer				
SEVENTH DISTRICT	- EARLY	Success	ful No:	ne	005145				
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Supplement									

CLEARANCE REPORT

This report is written by P.O Michael FLANNERY, assigned to District 7, early shift, assigned to Squad 964 along with my partner, P.O Daniel ROBINSON and P.O Scott KAISER.

#### SEARCH WARRANT APPLICATION

On Monday, January 2, 2012, P.O Daniel ROBINSON applied for a "knock" search warrant to be executed at the address of 4172 N. 13th St, which is in the City and County if Milwaukee. The Honorable Nelson W. PHILLIPS, III, approved this search warrant at 4:53pm on January 2, 2012.

#### SEARCH WARRANT SERVICE

On Monday, January 2, 2012 at 8:10pm, officers of the Milwaukee Police Department's Tactical Enforcement Unit executed the "knock" search warrant. The Tactical Enforcement Unit was supervised by Sgt. Michael KARWOSKI. The entry team consisted of P.O Steven KUSPA, P.O Thomas MAGLIO, P.O Michael LOPEZ, P.O Robert WILKINSON, P.O John IVY, P.O Rodolfo ALVARADO, P.O Brian CZARNECKI, P.O Lane GRADY, P.O Matthew TERPSTRA, P.O Michael MILLER and P.O Trevor DEBOER. It should be noted no forced entry was needed as the door was answered. Upon entry the Tactical Enforcement Unit encountered the below listed individuals:

- -Karen L. JACKSON, b/f, 3/20//63 of 4172 N. 13th St (arrested)
- -Kobe C. JACKSON, b/m, 12/25/98 of 4172 N. 13th St. (released to family member shortly after execution of search warrant)
- -Jennifer M. JACKSON, b/f, 12/5/97 of 4172 N. 13th St (released to family member shortly after execution of search warrant)
- -Breonna J. GIPSON, b/f, 4/25/97
- -Sierra N. RANDALL,b/f, 6/24/98 of 4172 N. 13th St (released to family member shortly after execution of search warrant)

A search was conducted of the subjects and nothing of evidentiary value was found.

The outer containment consisted of Squad 965 (P.O Andrew MOLINA and P.O John SCHOTT), Squad 953 (P.O

Report Officer | Printed At | 01/09/2012 13:35 | Page 1 of 2

Supplement Erin TISCHER and P.O Dave BETTIN), Squad 964(P.O Daniel ROBINSON, P.O Scott KAISER and myself. P.O John SCHOTT read the search warrant to all of the detained individuals and left a copy with Karen L. JACKSON.

Prior to conducting the search of the house, P.O Daniel ROBINSON took photos of the residence, inside and out. On the living room table was mail from WE Energies with the name of Karen JACKSON on it with the address of 4172 N. 13th St, Milwaukee, WI 53209. On a Tri-State bank statement, the names of Edlin JACKSON and Karen JACKSON were on it with the same address of 4172 N. 13th St, Milwaukee, WI. 53209. An IRS piece of mail with the name of Edlin JACKSON with the address of 4172 N. 13th St, Milwaukee, WI. 53209 was recovered and also 2 photographs of Karen and Edlin JACKSON were recovered as well. These items were recovered by P.O John SCHOTT and ultimately placed on MPD inventory number 580268.

P.O Andrew MOLINA and P.O Daniel ROBINSON conducted a search of the basement's "rec room". P.O ROBINSON recovered in what was a half bathroom, located in the middle of the "rec room" a brown napkin with a white powdery substance, along with 2 small pieces of aluminum foil. (paraphernalia) The white powdery substance was suspected cocaine base and turned over to me for testing. The pieces of aluminum foil were approximately 3 inches long and 2 inches wide. The aluminum foil is commonly used in the practice of smoking illegal narcotics, with the use of a lighter or some sort of flame source. The suspected cocaine base was ultimately field tested by me at the PAB using the NARK II 07 test, which yielded negative results. Two more tests were conducted and due to the inability to get a more clear and accurate reading, it was weighed and inventoried under MPD inventory number of 584198 and sent down to the Wisconsin State Crime Laboratory for additional testing. The total weight was 5.87 grams.

Due to the mail being recovered and multiple sources being used, it was found that Karen L. JACKSON was the owner of the residence. The City of Milwaukee property data was used and Karen L. JACKSON is the listed owner of the property. The amount of suspected cocaine is not consistent with personal use and more for street level sales. The suspected cocaine has a street level value of about \$587. Karen JACKSON was arrested and conveyed to PPS by Squad 965, P.O John SCHOTT and P.O Andrew MOLINA. Karen did not wish to make a statement regarding.

This case will be hand carried to the District Attorney's office on Wednesday, January 3, 2012.

#### 120020147

Incident Report
MILWALKEE POLICE DEPT

Report Officer

016645/KAISER, SCOTT T

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Crime Co	ode(s) RELA'	СЯТ										
1	nlem			SIN O								

See clearance report written by P.O. Michael FLANNERY.



June 28, 2012

Milwaukee Police Department Police Administration Building 749 West State Street Milwaukee, Wisconsin 53233 http://www.milwaukee.gov/police

Edward A. Flynn Chief of Police

(414) 935-7200

Ms. Karen Jackson 4172 N 13TH ST Milwaukee, WI 53209

RE: Record # PPD-2012-0163

Dear Ms. Jackson:

Your allegation of misconduct received by the Department on 4/10/2012 prompted a thorough investigation of the incident you described.

Upon careful examination and evaluation of the information obtained pursuant to this investigation, we were not able to substantiate the allegation. However, if new information is brought to light, an additional investigation may be conducted.

You may be assured that we desire to provide the best possible police service and are appreciative when citizens bring matters of this nature to our attention.

If you require further information regarding the investigation or disposition, please contact the Internal Affairs Division at 935-7939.

SINCERELY,

EDWARD A. FLYNN CHIEF OF POLICE

Diana Rowe

Captain of Police

Internal Affairs Division

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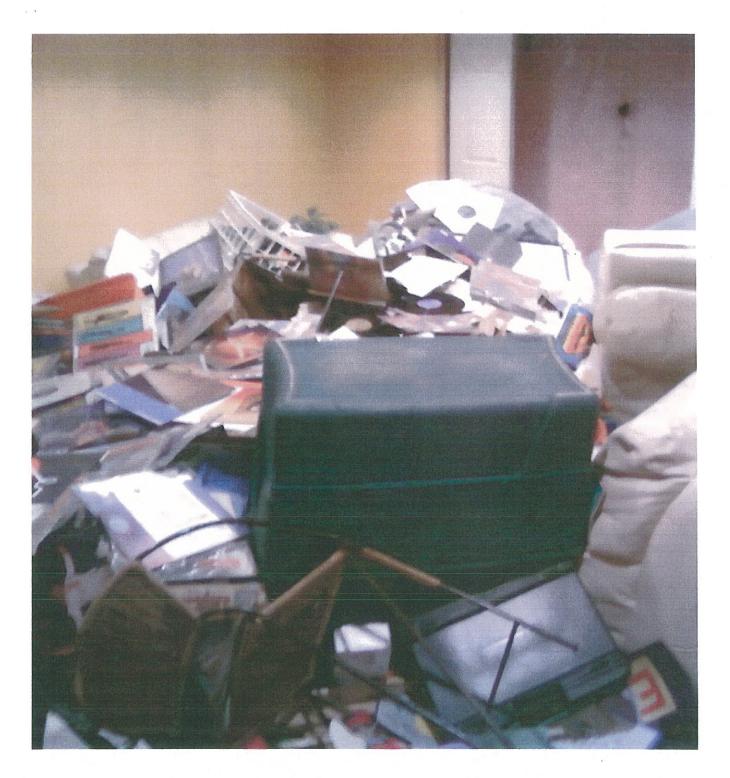






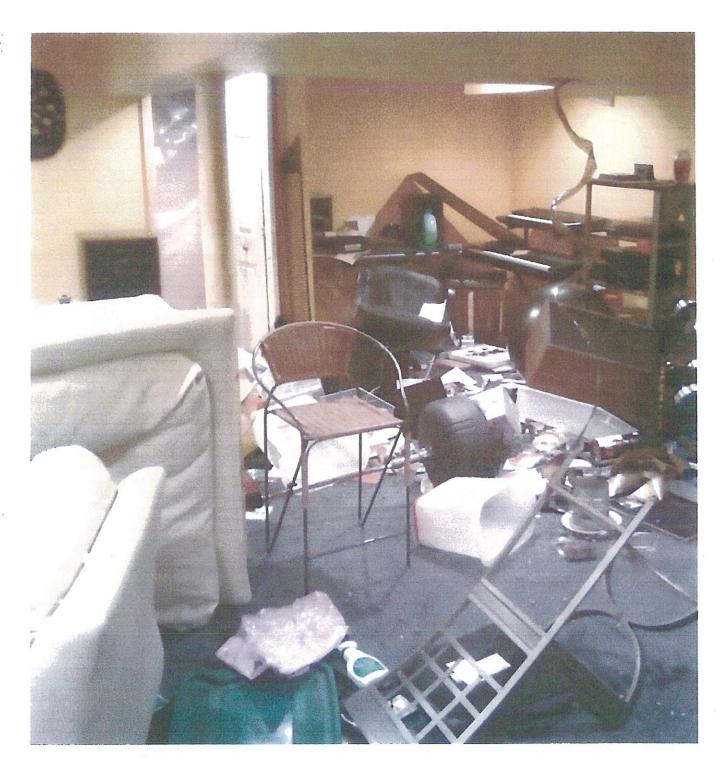
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search



Basement Rec Room abter Palice Sec 5/2/20

http://65.55.40.167/att/GetAttachment.aspx?file=7a77ffac-bdd4-4... 5/2/2012



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PD-43 03/01

### MILWAUKEE POLICE DEPARTMENT DAMAGE NOTICE

(SUPERVISOR TO LEAVE IN PROMINENT PLACE AT SCENE)

The Milwaukee Police Department received a call for
service on: 20 at: a.m./p.m.
at:
(ADDRESS)
to: confirm welfare of occupant(s)
make an arrest
a execute a search warrant
recover evidence of crime
other (describe)
— and (describe)
The following domains to associate the following domains the following domains to associate the following domains the following domain
The following damage to premises or vehicle occurred:
Please see attached
- Hoim al
Complaint Photos
Police report.
Supervisor's Name:
(PRINT)
(DIST. / WORK LOC.) (SHIFT) (PAYROLL #)
SEE NOTICE ON REVERSE SIDE

# Assessment Detail and Listing Characteristics

Taxkey 2430812000	Premise Address 4172 N 13TH ST	Nbhd 1620	Plat 24331	Ass	essment Milwauke		Class Residential
Ownership Inf KAREN L JACK 4172 N 13TH ST MILWAUKEE W	ormation Deed T SON Date Fee		2005-1 2006-0	0.00	Asse Year Land Imprv Total	Current 4500 83700 88200	Previous 4500 103000 107500
Org Year	Drop Year		oning RT2		Ald. Dist	rict	Census 043-202
	1938 WARM AIR NO STONE	SUB No		1791 s			rea  4  2  s  VES
	Garages and Other 20.00 X 12.00			Lot Siz	te 40.00 X	ot Entries 120.00	
Recent Permits	S Owner History S	S <u>ale Hist</u> I By Asse	ory essor Que	Assessn Histo ry From:	rv -	<u>Γax Balance</u> .150	About Site