

THE BOOT CAMP SALOON

209 E. NATIONAL AVE., MILWAUKEE, WI 53204

(414) 643-6900

December 26, 1996

Alderman James Witkowiak
12th Aldermanic District
200 E. Wells St. Room 205
Milwaukee, WI 53202-3570

Dear Jim:

In the past month a problem has arisen between my business and the Milwaukee Police Department. I wish to bring this to your attention. First, because you are a member of the Utility and License Committee, and you work with the ordinances that I wish to bring to your attention. Second you are my Alderman and this affects my business and other business in your district, which is governed by the second district police department. Third, I am a taxpayer of the city of Milwaukee and should be given consideration when wanting to communicate with a police officer in defense of my situation.

Officer Jackson, from Second District Police Department was at my place of business of November 9, 1996 and ticketed me for an offense which still has to go to court. The charge was being over my capacity code. This is all another matter, never the less he had seen all my licenses at that time.

Six weeks latter Officer Jackson returns on December 18, 1996 at 11:30pm to inspect my licenses again and says he did so because he thought I needed a licence to play music in my tavern. I explained this is the way I have been operating for 13 years and if there was a change in the ordinances I was unaware of it. I asked what Ordinance I was violating and he said he would go out to his car and look it up and come back to tell me. Before leaving he also informed me that my lighting was too dim in the bar, despite over 500 Christmas tree light throughout the tavern at this time of year, and in additional to my normal lighting. He said he had received several anonymous complaints, but could not tell me from who, or when. After Officer Jackson sat in his car for over ten minutes he drove away. I then called him at second district and asked why he didn't return with the information. He said his dispatch radio was not working and that he would get back to me before the end of the night. He never returned that night.

By now it is Saturday morning, and I took my citation to the duty officer at second district. After an hour and

The following day, Thursday I went to see Sally at the Licence Department in city hall and explained my situation. She and her supervisor, gave me copies of the ordinances to include Regulation 107-13-d, and 107-13-4, and told me to show these to the officers if there are any more problems. I also stopped at your office, but you were at a meeting so I communicated my problem with Rossa and left my name with her.

No police showed up at my tavern that day, Thursday December 19, 1996.

On Friday December 20, 1996 at 10:30 pm Officer Jackson and Officer Collins returned with a \$332.50 citation for operating music in a tavern with out a license. Citation No. 5485706-2, stating violation of Section 90-33-5 I offered the information provided to me by the licence department as my defense, but Officer Jackson refused to look at the information, stating that " Me and my superiors know what the law is and we don't have to read anything" I then asked who his superiors were, and I was told the name of "Mr. Zarnick".

During the next hour I was told eight different times during the fishing trip the officer made through the tavern that he would not read the ordinance that I requested of him to read in my defense. He also threatened to confiscate my music system, and would not consider giving me until Monday to clarify my problem. It is my belief that this officer waited until Friday night when all city hall offices and the city attorneys office were closed for the weekend so as to close down my business for the weekend. This is exactly what this officer did on Thanksgiving Weekend to another (GAY) tavern one block away from my business.

Also during this time, Officer Jackson did what I will refer to as harassment of myself, my employees, my customers and the press. He examined the receipts for an Aids Benefit, he inquired into our promotional gimmicks offered to the customers, examined the book of names of those approved for check cashing privileges, confiscated two of three Gay magazines which he claims is pornography, and for which I was told I will receive another citation. As of one week later no citation has been issued, or have I been informed if I can continue selling the Gay (non-pornography) magazines. The list of harassment questions and his attitude went on for over an hour and cover a wide range to topics.

By now it is Saturday morning, and I took my citation to the duty officer at second district. After an hour and

half the duty officer, Sergeant Grueneberg called in the two officers and after a discussion the citation for operating music in a tavern was dismissed. Nothing was said about the (non-pornography) Gay magazines that Officer Jackson plans to send me citations on.

My request of you, and your liquor licence committee is to review the ordinances concerning the playing of music in taverns, and the clarification for those taverns that do not need a license. Will a new ordinance be established to protect taverns from this type of incident again? What action are you going to recommend or take? I request a written response.

Enclosed are copies of Ordinance Chapter 90, Liquor and Tavern Regulations, Milwaukee Code of Ordinances, 90-33, page 383, dated 1/23/96, thru 90-34, page 384, dated 1/23/96, and Ordinance 107-13-d, page 634, dated 10/11/88, and ordinance 107-13-4.

I will be awaiting your response, Thanks for your time and consideration.

Sincerely,

Si Smith

Copies to:

- Mayor John Norquist
- Other City of Mil Alderman
- Mil Municipal Judges
- Licensed Beverage Assoc of WI.
- Gay/Lesbian Tavern Guild
- ✓ Wisconsin Light News
- Shepard Express News
- Attorney Dan Grade