



**MOTLEY**  
**LEGAL**

Afghanistan and United States  
Afghan Tel: +93 (0) 795 069 652  
+93 (0) 788 887 887  
Int'l Tel : +1 (704) 765-4887  
Website : [motleylegal.com](http://motleylegal.com)

June 18, 2020

City of Wauwatosa Police and Fire Commission  
7725 West North Avenue  
Wauwatosa, Wisconsin 53213

Re: Police Complaint against Wauwatosa Police Officer Joseph Mensah on behalf of Linda Anderson, Jay Anderson, Sr., and Starkeisha Delarosa regarding the shooting of Jay Anderson Jr. on June 16, 2016

Dear City of Wauwatosa Police and Fire Commissioners:

Please accept this letter as an addendum to the citizen complaint form against Wauwatosa Police Officer Joseph Mensah hereinafter referred to as "Mensah" in connection with his fatal shooting of Jay Anderson Jr. hereinafter referred to as "Jay".

On June 23, 2016 Officer Mensah fired his weapon six times at Jay killing him. Jay was alone and parked in his vehicle at approximately 3:00 am when he was approached by Mensah at Madison Park in the City of Wauwatosa. He had driven into the park at 1:37 am ( as documented by video from a nearby school) and did not move his car while present. Jay was not disturbing anyone, his car was turned off and he fell asleep in his vehicle. When Mensah approached Jay at approximately 3:00 a.m. he was sleeping in the car. Mensah approached Jay from the passenger side of his vehicle and tapped on the window, waking him up. Within minutes, Jay was shot dead by Mensah.

During this time, Mensah told Jay to put his hands up. Which he did. Mensah claimed that he initially didn't notice a firearm on the vehicle's front passenger seat and only saw it after interacting with him. Jay was cooperative with Mensah and complied with several of Mensah's requests when he was awakened. Jay turned the keys to the ignition of the car. He lowered the window to the passenger side of the vehicle. And we understand that he responded to all of Mensah's questions. When Mensah ordered Jay to put his hands up for several minutes, Jay immediately did so, but had difficulty maintaining that position. According to reports there was a gun in plain sight on the passenger side seat of the car. Jay never touched the gun and he never grabbed the gun while interacting with Mensah. Nonetheless, Mensah fired six shots, striking Jay multiple times in his head and neck.



Jay slumped over and was immediately unconscious after he was shot multiple times. Mensah, despite assessing that what he determined as the “threat” was over, never rendered any aid to Jay after shooting him. Several minutes passed before the arrival of other officers who attempted to render aid.

Mensah did not engage his squad video until after he finished firing six shots at Jay. Eventually when he did engage his squad video it automatically recorded the previous twenty-eight seconds but there was no sound with the video. Eventually, the sound was available but that was after the shooting was over. Mensah was not wearing and did not have a body worn camera which may have been valuable to understand the situation.

While the purpose of this complaint is to seek Mensah’s immediate termination based on a failure to follow proper protocol and procedures it is important to highlight that Mensah’s actions were particularly alarming in that this was the second fatal shooting he committed in less than a year. On July 16, 2015, Mensah and Wauwatosa Police Officer Newman responded to a 911 call for service because Antonio Gonzalez, a mentally ill and intoxicated man, was disorderly and threatening. According to reports, officers encountered Gonzalez, who walked towards them with a sword in hand, raised over his head. Again per reports, after Mr. Gonzalez ignored the officers’ order to drop the sword, both officers fired their guns at him. Notably, Officer Newman only fired one shot. Mensah, on the other hand, fired his gun eight times. Officer Newman immediately attempted to render aid to Mr. Gonzalez; Mensah never provided any such assistance.

Mensah’s actions must also be reviewed in light of the fact that he has now committed a third fatal shooting. On February 2, 2020, he was involved in a foot chase of Alvin Cole, a seventeen-year-old, and several other teenagers after they were in an argument with other persons at the Mayfair Mall. The investigation is still pending with the Milwaukee County Police Department, but according to Mensah he claimed that Alvin Cole pointed a gun at him before he fired at him. Several witnesses disagree that Alvin pointed his gun at anyone at the scene. Squad video from the scene shows that Alvin Cole was on his hands and knees at the time Officer Mensah fired five shots at him. Alvin Cole and others can be heard shouting “no gun” just before he was killed. Four other officers were also at the scene with Mensah and yet none of them fired their guns at Alvin Cole. Two of the four shots fired by Mensah struck Alvin Cole in the back.

In conclusion, Officer Mensah has fired a total of nineteen shots during three incidents, all of which resulted in a fatality in five years. The vast majority of police officers in the United States never fire their weapons in the line of duty, much less kill three people. It is important to also highlight that all of the

shootings occurred while Chief Barry Weber was in charge of the Wauwatosa Police Department.

At this time, our nation is undergoing introspection and is facing closer examinations of the use and often abuses of police powers especially as it relates to deadly force. There is a distinct difference between what officers can do versus what they should do. And simply because police have been permitted to fatally shoot citizens often unchecked does not mean they should do so.

The Wauwatosa Fire and Police Commission is entrusted with the responsibility of firing police officers when circumstances call for their termination. We believe that Officer Mensah's actions under the leadership of Chief Weber has shown that he is a threat to public safety in Wauwatosa. We also believe that all Wauwatosa Police Officers should be required to wear body worn cameras for the safety of themselves and the community. Taking everything into consideration, we respectfully request that the commission exercise its power to terminate Officer Mensah's employment with the Wauwatosa Police Department effective immediately.

Respectfully Submitted,

By:

For Attorney: Kimberley Cy. Motley  
Attorney for Linda & Jay Anderson, Sr., and Starkeisha Anderson  
Founding Partner / CEO  
Motley Legal Services  
Office Number : +1 (704) 765-4887  
Email : kmotley@motleylegal.com

By:

Deborah (Deja) Vishny  
Attorney for Linda & Jay Anderson, Sr., and Starkeisha Anderson  
Of Counsel  
Email : dsvishny@gmail.com

cc : Mayor Dennis McBride's Office  
Wauwatosa Police Department