

MILWAUKEE COUNTY

City may pay \$575,000 to settle MPD 'swatting' lawsuit involving local author



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Milwaukee City Attorney Evan Goyke is recommending that the city pay more than half a million dollars to settle a federal lawsuit over the Milwaukee Police Department repeatedly entering and searching a local author's home in response to false 911 calls.

The couple, Niki Robinson and Patrick Tomlinson, were the victims of an online harassment scheme – commonly known as "swatting" – that involved people reporting false claims to police, such as a murder or a hostage situation, at their address.

The Milwaukee Police Department was aware of the false reports, yet officers continued to show up to the couple's home and search it for threats throughout 2022 and 2023, sometimes with guns drawn, their lawsuit said. In total, police were dispatched to the couple's home 45 times over the span of two years.

Tomlinson and Robinson argue Milwaukee police violated their Fourth Amendment rights, causing them "physical pain, mental distress, humiliation, loss of liberty, and incurred expenses," their lawsuit reads. The Fourth Amendment prohibits the government from conducting unreasonable searches and seizures.

For example, during one incident in the summer of 2022, officers responded to a false report of a hostage at the couple's home. Tomlinson was ordered outside at

gunpoint around 1 a.m. and handcuffed while “in a state of undress” as officers searched the house, according to the complaint.

Swatting often uses technology to disguise the voice, phone number or IP address of the perpetrator to deceive police into responding to a false threat.

U.S. Rep. Gwen Moore and Sen. Tammy Baldwin had [SWAT teams show up at their doors in 2024](#) when false crimes were reported to police. In one case in Kansas in 2017, hoax calls resulted in a [victim being killed by police](#).

In the case of Tomlinson, a local science fiction author, the harassment began in 2018 after he [posted on X that he didn't find comedian Norm Macdonald funny](#). Macdonald had recently criticized the Me Too movement and the widespread uproar against comedians like [Louis C.K.](#), who had recently been accused of sexual misconduct.

Macdonald died in 2021. However, Tomlinson's two cents led to an avalanche of harassment online, ranging from [one-star reviews on his books](#) to bomb threats in three states – including at American Family Field, after the couple posted they planned to watch a Brewers game, NBC News reported.

"Settling this case brings some closure to a long and stressful chapter in Niki and Patrick's lives," said Jack Idlas, an attorney with the firm Strang Bradley who is representing the couple. "While no settlement can fix the past or fully account for the conduct of City officials involved, this resolution is some acknowledgment of the repeated constitutional violations that Niki and Patrick endured."

The Milwaukee Police Department directed requests for comment to the City Attorney's Office, which declined to comment given the ongoing litigation.

The city has admitted that police knew the couple was being targeted with false emergency calls, according to court records. It has also admitted that officers held Tomlinson at gunpoint, detained and handcuffed him during at least one response.

However, the city denies those searches were illegal.

The couple's lawsuit originally named 20 members of the Milwaukee Police Department, including two sergeants. In several instances, U.S. District Judge J.P. Stadtmueller found that constitutional violations occurred, but he dismissed the officers from the case due to [qualified immunity](#). The city, however, remained as a defendant.

In a May 7 letter to the Common Council, Goyke recommended the city settle the case for \$575,000.

“The City Attorney believes that a settlement is in the City’s best interest so it can avoid litigation of these disputed claims and buy its peace,” he wrote in the letter.

The Common Council has to vote to accept the settlement agreement, which will require sign-off from Milwaukee Mayor Cavalier Johnson.

The Milwaukee Police Association has [criticized Goyke's office](#) for opting to settle police misconduct cases rather than defend officers. City taxpayers bear the costs of any settlements.

Since Goyke began his term in 2024, [the city has agreed to several large settlements](#), including a \$2.5 million agreement to end a lawsuit over a Milwaukee man who died of a drug overdose while in MPD custody.

Lawsuit describes several swatting incidents

According to the lawsuit, Tomlinson and Robinson first told District 1 police about a group of “online bullies” threatening to send officers to their home under false pretenses in 2019.

In the summer of 2022, the Milwaukee Police Department briefed officers in District 1 about the issue and department leadership spread the word about the frequent false reports, the lawsuit said. However, the department decided to not to officially flag the home in its dispatch system out of concerns of "complacency."

Nonetheless, the Milwaukee Tactical Enforcement Unit – the department's SWAT team – responded in October 2022 to a false 911 call that Robinson had been murdered. Upon arrival, officers pointed guns at Robinson, removed her from the home and searched it, the complaint alleges.

The officers didn't know until later that the home was known to be the subject of false reports, court records show.

The lawsuit describes several more incidents of police responding to the home in response to false reports, characterizing Milwaukee police Sgt. Lyndon Evans as the “worst offender.”

The complaint describes one incident in which Evans entered the couple's home in response to a false report that Tomlinson had confessed to murdering his mother, despite having been included in emails about the frequent fake calls and being told by Sgt. Carrie Pocernich not to enter the home.

In his report on the incident, Evans said he wasn't aware of an agreement between the couple and District 1. According to the lawsuit, Pocernich said Evans didn't feel comfortable with not checking inside the home.

In April 2023, Evans responded to another false threat at the home. According to the complaint, Evans instructed an officer to kick down the door after Robinson refused to come to the front door. Officers eventually left without kicking down the door.

Five days later, Evans responded to another 911 call about a threat at the home, pounded on the door and demanded he needed to see Tomlinson and Robinson before leaving, the lawsuit said.

Court records show that the city admitted Evans was aware of the home's history of swatting calls and received emails to not enter the home for false reports. However, the city denied that Evans acted unlawfully, used improper force or conducted illegal searches.

Evans and 16 officers named in the report are still employed by the Milwaukee Police Department, an MPD spokesperson confirmed. Three officers are no longer members of the department. Evans is now assigned to the department's Internal Affairs Division.

According to court records, Tomlinson and Robinson also reported their concerns to the Milwaukee Fire and Police Commission. The commission concluded that the Milwaukee police did not violate any policies.

"It would be nearly impossible for an MPD call taker to determine at the outset whether a call for service is legitimate or false," the commission said in September 2022.

Police did not enter the couple's home on every occasion, court records show. Officers did not search the house in response to 10 swatting calls reported between October 2022 and March 2023.

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