

ORIGINAL

AMENDED

NOTICE OF CLAIM FOR DAMAGES

Christopher G. Neal
3024 N. 40th Street
Milwaukee, WI 53210

JUN -7 PM 3:49

OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
02 JUN -6 AM 10:00
RONALD D. LEONHARDT
CITY CLERK

Complainant,

-v-

CITY OF MILWAUKEE
City Clerk
200 E. Wells Street
MILWAUKEE, WI 53202

Respondent.

TO: City Clerk, Common Council
City of Milwaukee
200 E. Wells Street
MILWAUKEE, WI 53202

Christopher G. Neal, by his attorney Alan D. Eisenberg, submits the following as and for his Notice of Claim for Damages:

1. On or about May 29, 2002 at or about 1:55 p.m., 8 unknown and unidentified Milwaukee Police Officers from MPD District 7 entered onto the locked fenced-in premises of Claimant without Claimant's knowledge or permission, at which Claimant's 6-year old American Pit Bull Terrier, "Cody" was in the yard; one of the officers reached over the fence and Cody bit that officer on the lower arm;
2. On or about May 29, 2002 at or about 1:55 p.m., unknown Milwaukee Police Officers from MPD District 7 recklessly and brutally fired five shots into said animal, mortally wounding Cody;
3. On or about May 29, 2002 at or about 3:20 p.m., Claimant arrived at home to find eight MPD Police Officers lounging about in Claimant's yard without Claimant's knowledge or permission and discovered to his horror that his pet dog, Cody, was dead;
4. On or about May 29, 2002 at or about 3:20 p.m., Claimant requested the remains of Cody so that Claimant could attend to an appropriate interment of the animal; MPD Police Officers and Officials refused Claimant's request for return of the remains;
5. On or about May 29, 2002 at or about 3:20 p.m., Claimant had learned that MPD Police Officers and Officials had carelessly and brutally discarded the remains of Cody, throwing the animal in a metal garbage can and carried the animal to an unknown location;
6. On or about May 29, 2002 at or about 6:15 p.m., Claimant requested of the attending officers and officials a copy of incident report concerning this matter and was told, "that is police business only."


Notice of Claim

June 5, 2002

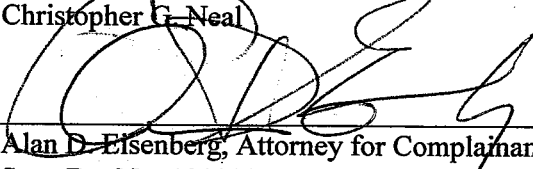
Page Two

7. Christopher G. Neal seeks damages and compensation in the amount of six hundred thousand (\$600,000.00) dollars and punitive damages in the amount of six hundred thousand (\$600,000.00) dollars and any other such just and equitable relief as may be granted.

Dated at Milwaukee, Wisconsin this 5th day of June, 2002.



Christopher G. Neal



Alan D. Eisenberg, Attorney for Complainant
State Bar No. 1010803

P.O. Address:

Law Offices of Alan D. Eisenberg
3111 W. Wisconsin Avenue
Milwaukee, WI 53208-3957
Phone: (414) 344-3333; Fax: 344-8882

✓
File Notice of Claim

To City Clerk

Please see attached document For details.

\$ 600,000

Christopher J. Neal

442-6231

342-5000

3024 N 40th St

Milw WI 53210

CITY OF MILWAUKEE
RECEIVED
MAY 31 2002

MAY 31 10 41 AM '02

CITY ATTORNEY

CITY OF MILWAUKEE
2002 MAY 31 AM 10:34
RONALD D. LEONHARDT
CITY CLERK

PLEASE PRINT IN BLUE OR BLACK INK

Complaint No. _____

CITIZEN COMPLAINT FORM
CITY OF MILWAUKEE FIRE AND POLICE COMMISSION
809 N. Broadway, Room 104 Milwaukee, WI 53202
(414) 286-5000

IMPORTANT NOTE: The Fire and Police Commission's citizen complaint process is designed to address allegations of intentional acts of misconduct by specific department members which are violations of Department rules and which, if proven, would justify disciplinary action against that department member. **The Fire and Police Commission is not authorized by law to award money damages. If you feel that you were injured as a result of actions by a Police or Fire Department member and seek money damages, you must file a Notice of Claim with the City Clerk's office within 120 days of the date on which the injury took place. If you have questions regarding filing such a claim, contact the City Clerk's office at 200 East Wells Street, Milwaukee, WI 53202. Their telephone number is 286-2221.**

NAME: Christophee G. Neal Birth date: 12-6-61
First Initial Last

ADDRESS: 3024 N 40th St CITY: Milw ZIP: 53210

TELEPHONE NUMBER -- Residence: 414-442-6231 Other: 342-5000
(Notify the Commission office [286-5000] promptly of any change in residence or telephone number.)

IF FILING ON BEHALF OF MINOR, GIVE NAME: _____ BIRTH DATE: _____
(If minor is 14 years of age or over, the minor must complete the following:)

I have read this complaint consisting of _____ pages. The contents are true to the best of my knowledge.

Minor

DATE AND TIME OF INCIDENT: 5-29-02 Time 2:30 pm

LOCATION: 3024 N 40th St

ACCUSED MEMBER NO. 1:

Name _____ Race _____ Sex _____ Uniformed (Yes/No) Badge No. _____

ALLEGED MISCONDUCT: (Give specific facts below--state exactly the individual acts of the accused member that causes you to complain. Continue on the reverse side or attach additional pages, if necessary.)

See witness statements.

(Attach additional pages if necessary)

- PLEASE CONTINUE ON REVERSE SIDE -

ACCUSED MEMBER NO. 2:

Name _____ Race _____ Sex _____ Uniformed (Yes/No) Badge No. _____

ALLEGED MISCONDUCT: (Give specific facts below--state exactly the individual acts of the accused member that causes you to complain. Continue on the reverse side or attach additional pages, if necessary.)

[Lined area for writing the alleged misconduct]

(Attach additional pages if necessary)

You must choose one of the two options listed below:

OPTION 1: If proceeding according to State Statute 62.50(19), check here _____ and sign below in the presence of a Notary Public. By choosing this option, you are stating that you believe the department member(s) is/are guilty of misconduct which should result in the removal (termination) of the member(s) from the department.

You must sign below in the presence of a Notary Public if you chose Option 1.



STATE OF WISCONSIN)
CITY OF MILWAUKEE)

_____, being first duly sworn on oath, deposes and says that _____ is the complainant in the above entitled action; that _____ has read the foregoing complaint and knows the contents thereof, that the same is true of _____ own knowledge, except as to those matters stated therein on information and belief and as to those matters _____ believes them to be true.

Subscribed and Sworn to before me
this _____ day of _____, 200_____

Notary Public, Milwaukee County, Wisconsin

My Commission Expires _____

OPTION 2: If proceeding according to Charter Ordinance Section 22.10, check here _____ and sign and date on the following lines. By choosing this option, you are stating that you believe the department member(s) is/are guilty of misconduct which should result in suspension without pay, demotion in rank, or termination. (See Section 4(a) and (b) of Fire and Police Commission Rule XXV.)

5-31-02 Christy B. Neal
Date Complainant's Signature

STOP HERE IF YOU CHOSE OPTION 2.

Christy B. Neal
Complainant

RECEIVED
MAY 31 2002

FIRE AND POLICE COMMISSION

MILWAUKEE POLICE DEPARTMENT CITIZEN COMPLAINT REPORT

COMPLAINANT'S NAME			LAST	FIRST	MIDDLE	DATE OF BIRTH	SEX/RACE
			Neal	Christopher	G.	12-6-61	M/B
ADDRESS		STREET	CITY	STATE	ZIP	PHONE (WORK)	PHONE (HOME)
		3024 N 40 th St	Milwaukee	WI	53210	342-5000	442-6231
DATE OF INCIDENT	TIME OF INCIDENT	LOCATION OF INCIDENT					
5-29-02	1:55p.m.	3024 N 40 th					
AGENT REPRESENTING COMPLAINANT				RELATIONSHIP		PHONE	

DETAILS OF INCIDENT (include the identity of any witnesses) PRINT LEGIBLY

On 5-29-02, at approximately 1:55p.m.

Milwaukee Police officer(s) shot his dog five times, for no reason. They did not have to shoot the dog because the owner was on the way, and the suspect (Tyree Walker) offered to put the dog away.

Detective Kelley refused to give him any reports regarding what happened and the lieutenant on the scene would not speak with them regarding this incident.

Wis. s.s. 946.66 (2) False complaints of police misconduct: "Whoever knowingly makes a false complaint regarding the conduct of a law enforcement officer is subject to a Class A forfeiture."

(attach additional pages if needed)

I HAVE RECEIVED A COPY OF THIS COMPLAINT AND ATTEST THAT THE INFORMATION HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed Christopher G. Neal
Person Entering Complaint

15-30-02
Date

Resolved at District Level Request Investigation by: _____
 Request IAD Investigation District / Bureau
Signed _____
Commanding Officer

DISTRIBUTION : 1. Internal Affairs 2. Receiving Unit 3. Complainant/Agent

ON WEDNESDAY MAY 29, ABOUT 1.30 PM, I WAS STANDING ON MY PORCH WHEN I SAW A GROUP OF POLICE ON CHAMBERS, STORMED NORTH ON 40TH ST, 3000 BLOCK AND ARRESTED TWO YOUNG MEN AT 3024 NO 40TH ST.

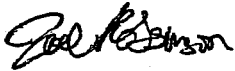
ONE OF THE ARRESTING OFFICERS WAS BITTEN BY THE FAMILY PET WHEN HE REACHED OVER THE GATE TO GRAB THE YOUNG MAN.
WHILE THIS OFFICER WAS AWAITING FOR TREATMENT ANOTHER OFFICER CAME TO OUR PORCH ASK FOR THE OWNERS NAME, WHERE SHE WAS AND DID WE HAVE THE NUMBER AND HER AGE.

MY FATHER ASKED THE OFFICER TWICE NOT TO SHOOT THE DOG AND WAIT UNTIL THE DOG OWNER GETS HOME

FOR THE NEXT HOUR AND A HALF THE POLICE OFFICERS WERE IN THE SURROUNDING YARDS AND ALLEYS, PICKING UP TOMATO RACKS THROWING THEM AT THE DOG. THEN SPRAYED FIRE EXTINGUISHER AT THE DOG. THEY WERE BANGING AND HITTING THE FENCE WITH STICKS. DURING ALL THIS TIME THE DOG SAT AT THE SOUTH EAST CORNER OF THE HOUSE NEAR THE PATIO LAYING DOWN CALMLY.

THEN APPROXIMATELY 2.50 PM, ABOUT 7 POLICEMAN AND THE DOG CATCHER ENTERS THE YARD THEY MOVE ALONG THE SIDE WALK TO THE BACK OF THE HOUSE, THE DOG WAS IN NON AGGRESSIVE, SITTING POSITION ON HIS BACK LEGS BARKING, THEN THE RAISES HIMSELF TO ALL FOUR LEGS AND ONE OF THE POLICE OFFICERS SHOT ABOUT 5 OR 6 TIMES.

JOEL M. ROBINSON



414-447-6606

ON WEDNESDAY MAY 29, ABOUT 1.30 PM, I WAS STANDING ON MY PORCH WHEN I SAW A GROUP OF POLICE ON CHAMBERS, STORMED NORTH ON 40TH ST, 3000 BLOCK AND ARRESTED TWO YOUNG MEN AT 3024 N 40TH ST. THE POLICE OFFICERS WERE SO AGGRESSIVE. I FELT AS IF THEY MAY HAVE SHOT THE YOUNG MAN IF HAD NOT BEEN STANDING THERE WATCHING THEM.

ONE OF THE ARRESTING OFFICERS WAS BITTEN BY THE FAMILY PET WHEN HE REACHED OVER THE GATE TO GRAB THE YOUNG MAN.

ONCE THE YOUNG MEN WERE PUT IN TO SQUAD CAR, THE POLICE OFFICERS STARTED TO GO AFTER THE DOG THAT HAD BITTEN THE OFFICER.

ONE OF THE OFFICERS WANTED TO KNOW IF THE DOG WOULD BITE. I REPLIED, I DON'T KNOW, I WOULD TRUST ANY DOG.

ANOTHER OFFICER WANTED TO KNOW IF THE DOG HAD HIS SHOTS. I REPLIED I, DON'T KNOW, THE OWNER WILL BE HOME SOON AND SHE CAN GIVE YOU ALL THIS INFORMATION.

ANOTHER OFFICER ASKS ME THE NAME OF THE DOG OWNER AND HER AGE. AND I GAVE HIM THIS INFORMATION AND TOLD HIM ANY OTHER INFORMATION THAT HE WANTED TO KNOW ABOUT HER, HE SHOULD WAIT UNTIL SHE GET HOME AND ASK HER. I ASKED THEM SEVERAL TIMES NOT TO SHOOT THE DOG, THE HOME OWNER WOULD BE HOME SOON. SHE CAN TURN THE DOG OVER TO YOU.

FOR THE NEXT APPROXIMATELY HOUR AND A HALF THE POLICE OFFICERS, HUMAN SOCIETY AND MADDAC CONTINUED TRYING TO COLLECT THE DOG. I SAW POLICE OFFICERS AND OTHERS WITH POLES WITH LOOPES ON THE END AND FIRE EXTINGUISHERS. THEY WERE IN THE YARD OF THE HOME ON THE NORTH AND SOUTH IN THE ALLEY AND IN FRONT OF THE HOME AT 3024 N 40TH.

THEN AT ABOUT 2.55 PM, I HEARD ABOUT 5 OR 6 SHOTS AND WENT INTO BACK YARD AND SAW THE DOG LYING ON HIS RIGHT SIDE CLOSE TO THE FENCE ON THE SOUTH SIDE OF THE YARD.

A LADY OFFICER SAID TYREE WOULD NOT CALL THE DOG AND WOULD NOT CALL THE DOG OWNER AND WE WAITED AND WAITED

WILLIE C. ROBINSON SR

A handwritten signature in cursive script that reads "Willie C. Robinson". The signature is written in dark ink and is positioned below the typed name.

3014 N 40TH ST
414-447-6606