

August 22, 2002

To the Honorable Common Council  
Of the City of Milwaukee  
Room 205 – City Hall

Re: Communication from Michele Ray  
C.I. File No. 01-L-120

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Michele Ray, 4208 North 49<sup>th</sup> Street, Milwaukee, WI 53216, alleges on her own behalf that on June 25, 2001 her dog was shot and killed by an officer of the Milwaukee Police Department at 4465 North 25<sup>th</sup> Street. She claims damages in the amount of \$15,000.00.

Our investigation reveals the Milwaukee Police were in pursuit of a criminal suspect. They chased him to the rear of 4465 North 25<sup>th</sup> Street. When the police officer arrived in the rear yard he encountered the claimant's dog in a very agitated state and unsecured from the tree it was allegedly tied to. The reports further noted the officer shot the dog because he feared for his safety. The police officer's actions taken in this matter were necessary and appropriate.

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Since the police were not negligent, but rather were acting within the sphere of their responsibility, the City would not be liable. Accordingly, we recommend that this claim be denied

Very truly yours,

GRANT F. LANGLEY  
City Attorney

MICHAEL G. TOBIN  
Assistant City Attorney

MGT:beg  
Enclosure  
1032-2001-2423:56929