

MARJORIE REILEY MAGUIRE

2712 E. Bradford Avenue
Milwaukee, Wisconsin 53211
Phone: (414) 964-5981
E-mail: marjmag20@yahoo.com

April 22, 2024

City Clerk Jim Owczarski
City Hall
200 E. Wells Street
Room 205
Milwaukee, WI 53202

CITY OF MILWAUKEE
2024 APR 24 P 3:03
CITY CLERK'S OFFICE

RE: Request for appeal hearing regarding C.I. File No. 1032-2024-180

Claim for \$49.67 in damage to car's headlight from car being chased by police at high speed downtown at midday.

Dear Mr. Owczarski:

This is to request a hearing to appeal the decision of the City Attorney to deny my claim for reimbursement for a destroyed headlight caused by a car being chased by police at high speed downtown at midday.

A copy of the City Attorney's letter is enclosed, along with the copy of the envelope. The letter is dated March 25, 2024 but has a postmark of April 3, 2024. I received it April 6. The letter gave me 21 days from "receipt" to "send" you a letter requesting a hearing. That would mean I have to "send" a letter to you by April 26, 2024. I am "sending" this letter by USPS to you today, April 22, 2024. Thus, this appeal is timely.

I am also enclosing a copy of the letter I previously wrote to you about this matter on January 29, 2024. You referred it to the City Attorney's office. Along with that January 29 letter to you, I also sent you a copy of the receipt for the headlight and a copy of the police report. I am NOT enclosing copies of those two items with this letter.

I am appealing the City Attorney's denial of responsibility, even though my claim is small, because I think those in charge should rethink such dangerous police activity as high speed chases, especially downtown in the middle of the day. Such a chase helps no one. The chase that affected me was for a stolen car. The owner of that car was not helped by the chase. I think that car was probably much more heavily damaged than simply the broken headlight on my car. The "crunch" of the accident was very loud. Thus, I am sure the owner got the stolen car back in a very damaged condition because of the police chase. When the police spot a stolen car, there must be other ways of apprehending the vehicle than chasing it at high speed. I feel lucky that I was not killed or hurt. I still have great anxiety when the picture of that car coming straight at me comes into my head. Fortunately, the driver swerved. There have been recent stories in the news of other police chases in Milwaukee and elsewhere that ended with much more damage and even death. The City of Milwaukee is lucky, along with me, that the damage is small in my case.

OFFICE OF CITY ATTORNEY
25 APR '24 4:08:01

A number of people running for offices in the City of Milwaukee in the recent elections campaigned to stop speeding drivers. There should also be concern about speeding police cars engaged in high speed chases downtown in the middle of the day. The only way to stop that and provide an example to other drivers is to take responsibility when police chases cause damage.

Thank you for your attention to this matter and to my request for an appeal hearing.

Sincerely,

Marjorie R. Maguire
Marjorie R. Maguire

cc: Alderman Brostoff

Copy

TEARMAN SPENCER
City Attorney

ROBIN A. PEDERSON
S. TODD FARRIS
JENNIFER L. WILLIAMS
Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551
Telephone: 414.224.2001 • TDD: 414.224.2225 • Fax: 414.224.2000

HEIDI WICK SPOERL
KATHRYN Z. BLOCK
THOMAS D. MILLER
PETER J. BLOCK
PATRICK J. MCCLAIN
HANNAH R. JAHN
JULIE P. WILSON
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JOANNA FRACZEK
ZACHARY A. HATFIELD
MEGHAN C. MCCABE
MARIA E. MESOLORAS
CYNTHIA HARRIS ORTEGA
Assistant City Attorneys

March 25, 2024

Ms. Marjorie R. Maguire
2712 E. Bradford Avenue
Milwaukee, WI 53211

RE: Communication from Marjorie R. Maguire
C.I. File No. 1032-2024-180

Dear Ms. Maguire:

We have received your claim for the amount of \$49.67 in relation to the damage to your vehicle occurring on November 30, 2023 at East Mason Street and North Water Street.

Our investigation determined the Milwaukee Police Department was engaged in pursuit of a stolen vehicle on November 30, 2023. Our records indicate that you were struck by the fleeing vehicle. The accident was not recorded on the Police video because the MPD squad was following approximately one block behind the fleeing vehicle.

It is our position that the police department acted within the scope of their responsibility, and the action taken in this matter was necessary and appropriate for the circumstances in this case. As such, the City of Milwaukee would not be liable. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

Tearman Spencer

TEARMAN SPENCER
City Attorney

Patricia Klosiewski

PATRICIA KLOSIEWSKI
Investigator Adjuster

TS/PK/cdr

1032-2024-180/290433

See over for envelope



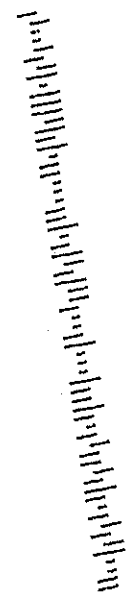
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CITY OF MILWAUKEE
OFFICE OF THE CITY ATTORNEY
800 City Hall
200 East Wells Street
Milwaukee, Wisconsin 53202-3551

Ms. Marjorie R. Maguire
2712 E. Bradford Avenue
Milwaukee, WI 53211



054 CZD-55B 53211



COPY

MARJORIE REILEY MAGUIRE
2712 E. Bradford Avenue
Milwaukee, Wisconsin 53211
Phone: (414) 964-5981
E-mail: marjmag20@yahoo.com

January 29, 2024

City Clerk Jim Owczarski
City Hall
200 E. Wells Street
Room 205
Milwaukee, WI 53202

RE: Claim for \$49.67 in damage to car's headlight from car being chased by police at high speed downtown at midday.

Dear Mr. Owczarski:

This is to make a claim for reimbursement from the City of Milwaukee for \$49.67 in damage caused to the right headlight of my car, a 2002 Dodge Grand Voyager, when my car was struck by a vehicle being chased at high speed downtown by the police on November 30, 2023 about 1:30 P.M.

A copy of the police Accident Report # J9L1VJ8VNH is enclosed, as well as my E-Bay receipt for a new headlight. I wrote to the police captain Thiel in District 1 on January 9, but he referred me to you.

Fortunately, I was not injured and the only damage to my car was the headlight, which cost me \$49.67 to replace. I hereby ask the City of Milwaukee to reimburse me the \$49.67 because a high speed police chase downtown at midday is extremely negligent.

I have not made the claim before this because I had to order the headlight online, had to go to two garages to determine if there were other damages and what it would cost, and had to wait for my son to install the headlight when he was here for Christmas. I am not billing you for my time, inconvenience, or copying and postage costs,

Here is the way the accident happened. I was proceeding west on Mason Street. I had a green light and was in the middle of making a left turn onto Water Street to proceed south on Water. Suddenly, a car proceeding north on Water in the center lane (or perhaps even in the lane for traffic going in the other direction) came speeding toward me. I jammed on my brakes expecting that car to continue going through its red light and speeding north. Instead, the car turned right from the center lane (or opposing traffic lane) of Water Street to proceed east on Mason. At first, I thought it was going to collide with me head on, but then it swerved a little to its right and only clipped my headlight. It sounded like much greater damage. So maybe that car's fender got damaged. As soon as it had hit me, I heard

See over

police sirens, and so I stayed stopped where I was. Two police cars with their sirens sounding came along going north on Water. I tried to signal them from my window that the car had turned onto Mason. The police turned right on Mason going east to follow the car they were chasing. After the police passed me, I completed my turn and pulled over to the west side of Water Street facing south, to inspect the damage on my car. A woman named Julie Leach came over to me and offered to be a witness. Her phone number is 414-614-7566. I gave this information to the police. The car that hit me was a small car in a strange green color. I would call it seafoam green. The witness told me she thought it had a white roof. I understand from Officer Orlando, who took my report, that the police did apprehend the driver a few blocks after the car hit me.

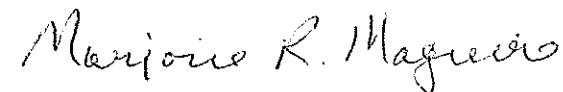
I did not call the police until I got home because I am not that familiar with how to use my mobile phone, since I rarely use it. Thus, I did not know how to look up the police number. When I got home, I called the police department and explained the situation. They sent Officer Orlando to my house that night to take the report and to look at my car and take pictures.

At first I thought the damage was more extensive. There were marks on the fender that looked like scratches. However, when I took it to a garage for an estimate, the man took a rag with paint remover, rubbed those, and they all came off. There is a small dent, but I am not going to have that fixed. Thus, the only thing that had to be replaced was the headlight. I found a matching headlight online, and my son was able to install it when he was here at the end of December. It would have cost about \$200 to have a garage install it, if he could not have done it. Thus, we are lucky the damages were so little. The cost of the headlight is not covered by my insurance because my collision deductible is too high and uninsured motorist insurance does not cover property damage on my car.

I feel the City of Milwaukee should reimburse me the \$49.67 for the headlight because it is inherently dangerous and negligent for the police to conduct high speed police chases downtown, especially at midday. Thus, I feel that the city is responsible for this damage to my car, even though the police are not the ones who hit my car. It is a blessing that no one was hurt and the damage was not more extensive.

Thank you for your attention to this matter.

Sincerely,

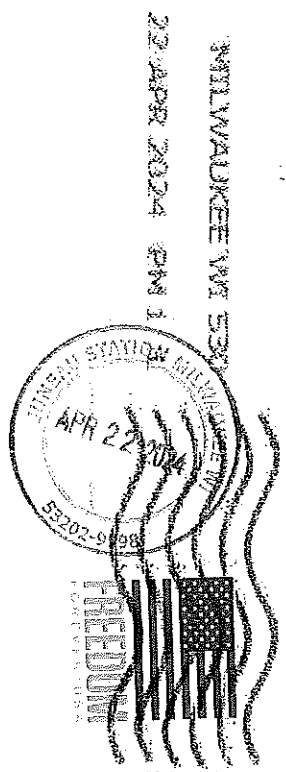


Marjorie R. Maguire

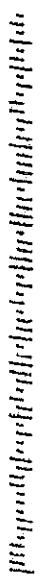
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Milwaukee, WI 53211

MILWAUKEE WI 53211
APR 22 2024

City Clerk Jim Owczarski
City Hall
200 E. Wells Street
Room 205
Milwaukee, WI 53202



53202-357099



TEARMAN SPENCER
City Attorney

ROBIN A. PEDERSON
S. TODD FARRIS
JENNIFER L. WILLIAMS
Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

HEIDI WICK SPOERL
KATHRYN Z. BLOCK
THOMAS D. MILLER
PETER J. BLOCK
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Assistant City Attorneys

March 25, 2024

*Mailed
4-3-2024*

Ms. Marjorie R. Maguire
2712 E. Bradford Avenue
Milwaukee, WI 53211

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C.I. File No. 1032-2024-180

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Very truly yours,

Robin Pederson *FOR CITY ATTY*

TEARMAN SPENCER
City Attorney

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PATRICIA KLOSIEWSKI
Investigator Adjuster

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