

June 16, 2004

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

Re: Communication from Vincent Lockett
& Albert Burks
C.I. File No. 04-L10

Dear Council Members:

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

Claimants, Vincent Lockett and Albert Burks, 6025 North 35th Street, Milwaukee, WI 53209 alleges that on or about January 17, 2004 items were taken from their vehicle while at the City of Milwaukee tow lot. They claim damages in the amount of \$9,200.00.

Our investigation reveals that the claimants' 1987 Chevrolet Van was towed to the tow lot as prisoner's property. The vehicle was unsecured and the driver's side window was open at the time of the tow. There were no items of value noted when the vehicle arrived at the tow lot. The tow lot records noted the vehicle appeared as if it had been vandalized and its contents were

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in disarray. The Milwaukee police officers on scene noted the claimants were stopped and investigated for alleged drug activity. They noted there were no items of value found in the van. The contents of the vehicle included tires, miscellaneous articles of used/dirty clothing and VHS tapes. Since the claimants failed to provide any specific evidence to support their belief that various personal items were stolen from their vehicle while it was at the tow lot, and it appears the tow lot and Milwaukee Police Department followed proper procedures in this matter, as such, the City cannot accept liability. 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
1044-2004-258 & 258.001:81734