

CITY OF MILWAUKEE

Form CA-43

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May 9, 2002

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Assistant City Attorneys

Kathy Olesinski
6709 West Barnard Avenue, Apt. 2
Greenfield, WI 53220

RE: C.I. File No.: 00-S-393

Dear Ms. Olesinski:

This office is in receipt of your claim in the amount of \$1,000.00, relating to a November 4, 1999 accident wherein you believe an officer gave the wrong account of the said accident that occurred in the rear of 1721 West Canal Street.

Our investigation reveals that the Milwaukee Police Department was not negligent in this matter. As such, the City would not be liable. Accordingly, we are denying your claim.

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

Very truly yours,


GRANT F. LANGLEY
City Attorney

Steven M. Carini
STEVEN M. CARINI
Investigator Adjuster

SMC:beg

OCTOBER 18, 2000
CLAIM DEPARTMENT:

EMP. BEN. ADMIN.
*00 OCT 23 PM 1:39

I AM PLACING A CLAIM WITH THE CITY FOR DAMAGES OF \$1000.00 TO ME DUE TO THE NEGLIGENCE OF ONE OFFICER VIRGINIA GORDY INACCURATELY REPORTING AN AUTOMOBILE ACCIDENT.

THE OFFICER DID NOT REPORT THE ACCIDENT AS IT HAPPENED ON THE POLICE REPORT COSTING ME MONIES THAT WERE NOT RESPONSIBILITY. EVEN AFTER I PLACED THIS IN THE HANDS OF THE INTERNAL AFFAIRS DEPARTMENT (SGT. GAETHKE) AND WITNESSES WERE CLEAR ON THE POSITIONING OF THE VEHICLES, SHE REFUSED TO CHANGE THE REPORT. THE POSITIONING OF THE VEHICLES IS ABSOLUTELY IN ERROR AND HAS CAUSED ME TO LOOK AT FAULT TO NOT ONLY THE OTHER PERSONS INSURANCE COMPANY, BUT TO MINE AS WELL. DUE TO HER ERROR IT COST ME AND MY INSURANCE COMPANY A LOT OF MONEY FOR AN ACCIDENT THAT WAS NOT MY FAULT.

HER CAPTAIN HAS SAID THAT HE WILL NOT MAKE HER CHANGE THE REPORT BECAUSE THAT WOULD CAUSE A PROBLEM WITH THE OTHER PEOPLE INVOLVED.

THE INTERNAL AFFAIRS DEPARTMENT HAS A FULL REPORT ON THE INCIDENT AND THEY ALSO HAVE THE PICTURES. I HAVE MORE WITNESSES IF NEEDED AND I AM INCLUDING MY ORIGINAL REPORT TO YOU.

I AM EXPECTING TO HEAR FROM YOU SHORTLY ON THIS CLAIM.

THANK YOU,

Ms. Kathy Olesinski

Kathy Olesinski
6709 W Barnard Ave Apt 2
Milwaukee, WI 53220-4528

MILWAUKEE POLICE DEPARTMENT CITIZEN COMPLAINT REPORT

COMPLAINANT'S NAME LAST FIRST MIDDLE OLESINSKI, KATHLEEN T.			DATE OF BIRTH 09-14-42	SEX/RACE F/W <small>for statistical purposes only</small>
ADDRESS STREET CITY STATE ZIP 6709 W. BARNARD AVE. Greenfield WI 53220		PHONE (WORK)	PHONE (HOME) (414) 281-4121	
DATE OF INCIDENT 11-4-99	TIME OF INCIDENT 11:50 PM	LOCATION OF INCIDENT 1721 W. CANAL STREET		
AGENT REPRESENTING COMPLAINANT		RELATIONSHIP	PHONE	

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

POLICE OFFICER VIRGINIA S. GORDY, DISTRICT SIX, FAILED TO PROPERLY INVESTIGATE A TRAFFIC ACCIDENT. OFFICER GORDY'S diagram ON THE ACCIDENT REPORT IS INACCURATELY RECORDED, AND MEMBERS OF THE SIXTH DISTRICT HAVE REFUSED TO CORRECT THE ERROR. (ACCIDENT DATE # 6353934). NO MEMBER OF THE SIXTH DISTRICT HAS CONTACTED HER, REGARDING THIS MATTER.

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 X Kathleen Olesinski
Person Entering Complaint

5/24/00
Date

Resolved at District Level Request Investigation by: _____

Request IAD Investigation Signed _____
District / Bureau Commanding Officer

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

JULY 12, 2000

ACCIDENT STATEMENT ON ACCIDENT OF NOVEMBER 5, 1999

SGT. GAETHKE:

THE FOLLOWING IS A STATEMENT PER YOUR REQUEST.

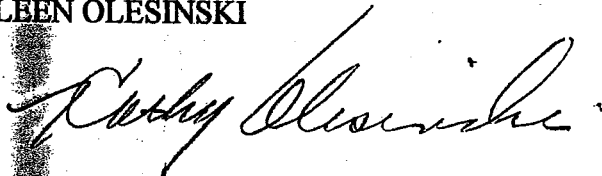
AT ABOUT 11:45 PM I WAS LEAVING THE SOUTH PARKING LOT AT POTAWATOMI CASINO AND AS I TURNED RIGHT IN THE RIGHT LANE HEADING EAST ON PITTSBURG I CAME FACE TO FACE WITH A SEMI-TRUCK STANDING IN MY LANE OF TRAFFIC FACING WEST. I COULD NOT SEE THE SEMI FROM THE STOP SIGN BECAUSE THE CONSTRUCTION TRAILERS ARE PARKED TO CLOSE TO THE CURB OF THE STREET AND THE STOP SIGN IS STANDING FURTHER BACK THEN THE TRAILERS.

I STOPPED MY CAR ABOUT 3 TO 5 FEET IN FRONT OF THE SEMI CAB AND MOVE TO THE LEFT TRYING TO SEE IF I COULD GO AROUND THE TRUCK. I COULD NOT BECAUSE THERE WAS ANOTHER SEMI TRUCK PARKED BEHIND THE ONE BLOCKING TRAFFIC IN MY LANE ALSO FACING WEST. THERE WAS ALSO THE CASINO GREEN EMPLOYEE TRANSPORT VAN PARKED IN THE RIGHT LANE AND THERE WAS NO ROOM FOR ME TO GET THROUGH. I LOOKED LEFT AND THERE WAS A SEMI STANDING AT THE PECK MEAT PACKING GATE AT THE END OF THE STREET READY TO DEPART FACING EAST. SO I DECIDED TO BACK MY CAR OUT OF THE WAY AND GO BACK INTO THE LOT. I COULD NOT GO EAST BECAUSE IT IS A DEAD END STREET AND THE ENTRANCE TO PECK IS AT THAT END. AS I WAS BACKING UP I WAS HIT BY THE FIRST SEMI IN THE RIGHT FRONT FENDER AND PUSHED SOME 15 FEET SIDEWAYS BACK TO MY ORIGINAL STARTING POINT; THE ENTRANCE OF THE PARKING LOT.

AFTER I WAS STRUCK THE CASINO EMPLOYEE TRANSPORT VAN PASSED US DRIVING IN THE RIGHT LANE HEADING EAST. CAROL HOWE WAS IN THE VAN AND SHE SAW THE SEMI'S PARKED IN THE LEFT LANE FACING WEST BEFORE AND AFTER THE ACCIDENT.

THE SEMI TRUCKS WERE ILLEGALLY PARKED AS THERE ARE NO PARKING SIGNS ON BOTH SIDES FO THE STREET (S.S. 346.54 (a) STATES VEHICLES MUST BE PARKED PARALLEL TO EDGE OF STREET HEADED IN THE DIRECTION OF TRAFFIC ON THE RIGHT SIDE OF THE STREET. ONCE THE SEMO STARTED MOVING HE WAS DRIVING INATTENTIVELY BECAUSE HE DID NOT SEE MY VEHICLE IN FRONT OF HIS AND HE WAS OPERATING HIS TRUCK TO THE LEFT OF THE CENTER ROADWAY: (CENTER IS CLEAR BECAUSE OF THE CONCRETE SEAM, S.S. 346.05).

KATHLEEN OLESINSKI



December 30, 1999

Chief Jones:

I need help in regards to an accident which happened on November 4, 1999 and I am the victim.

The enclosed diagram represents where vehicles were and where contact was made. The officer on the scene must have misundertood. The situation according to the original repot and diagram looks like I was at fault. This error is costing me a lot of Money for medical bills, the car rental, and the deductible. I am on a limited income.

I came to a stop at the stop sign leaving the parking lot. Due to the construction trailers parked, I could not see the Semi's parked to the right. I made my right hand turn to go East on Pittsburg and came face to face with a semi standing in my lane of traffic. I was going to go around them, but there was a Potawatomi transport van parked blocking the other side of the road way. All I could do was back up. As I started backing up looking out the rear of my vehicle, I felt a jolt. The semi had struck my vehicle and was pushing me. The semi that struck my vehicle (along with 2 other semi's) were standing on Pittsburg street illegally parked on the wrong side of the street where NO PARKING signs are posted.. (S.S. 346.54 (a) states vehicle must be parked parallel to edge of street headed in the direction of traffic on the right side of the street). Once he started moving he was driving inattentively because he didn't see my vehicle in front of his and he was operating his vehicle to the left of the center of the roadway: (Center is clear because of the concrete seam , S.S. 346.05).

The supplement made by the officer is still not clear. Too, I've enclosed 3 witness letters and a picture of the area.

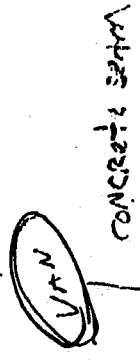
Please have someone contact me regarding this matter. I appreciate your concern.

Ms. Kathleen Olesinski
6709 W> Barnard st. #2
Greenfield, Wis. 53220

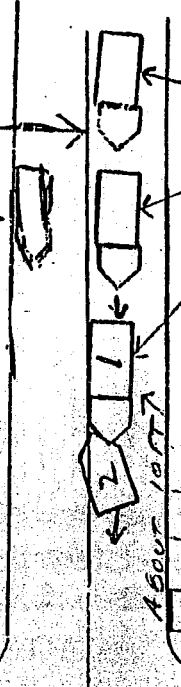
C/C: Capt. Sucik
Lt. Will
Mayor Norquist

MM
 Diamond
 road to road
 support
 11/11/11

North



CONCRETE SETTING



CONSTRUCTION TRAILERS

ABOUT 10 FT

STOP SIGN

3 SEMIS STOPPING



South

DIRECTION OF TRAFFIC

DIRECTION OF TRAFFIC

West

ENTRANCE TO PECK MOUNTS

MATCHING POLICE REPORT NUMBERS

2 = KATHY CAR

1 = JIMMY