

March 24, 2004

To the Honorable Committee on  
Judiciary & Legislation of the Common Council  
of the City of Milwaukee  
Room 205, City Hall

Re: *Lutecia Gonzalez v. Christopher Chu*  
Case No. 01-C-0436

Dear Committee Members:

Enclosed please find a proposed substitute resolution. We ask that it be considered by your Committee with the following recommendation.

The plaintiff, Lutecia Gonzalez, filed a civil rights lawsuit, claiming that she was falsely arrested and that excessive force was used in the course of the arrest by Police Officer Christopher Chu. The lawsuit arises from incidents that occurred during the course of Mexican Independence Day celebrations on South Cesar Chavez Drive on September 16, 2000.

A number of Milwaukee police officers were in the area as the result of various complaints about certain incidents or activities that occurred in the course of the celebrations. The defendant officer was among those who was assigned to this area.

During the course of a traffic stop, Ms. Gonzalez approached Officer Chu. She claimed that she remained a safe distance from Officer Chu during the course of the traffic stop and that when he ordered her to move farther back she did so. On the other hand, Officer Chu claimed that Ms. Gonzalez stood in his line of sight of the passenger of the stopped vehicle, thereby obstructing his lawful efforts to ensure the officers' safety and the safety of others during the course of the traffic stop. The officer claimed that he directed Ms. Gonzalez to move, but that she refused to do so, angrily arguing that the officers should not continue with their law enforcement activity. The officer ultimately arrested Ms. Gonzalez, claimed that she struggled with him, and with his

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partner's assistance, he eventually arrested and placed Ms. Gonzalez in the back of his squad car. Ms. Gonzalez claims, on the other hand, that only Officer Chu was involved in her arrest and that he forcefully directed her to the sidewalk pavement and caused her great discomfort in placing handcuffs on her. There was no evidence of any physical injury whatsoever, but Ms. Gonzalez claimed emotional distress and some temporary pain and discomfort.

This matter was the subject of a jury trial in Judge Stadtmueller's court beginning on March 8. After the jury had retired to deliberate, it had indicated it was deadlocked and did not see the possibility of a unanimous verdict. Before the jury returned a verdict, the parties, through their attorneys, entered into settlement negotiations. Ms. Gonzalez agreed to a settlement of \$50,000.00, including any and all claims for costs and attorneys fees. The likely exposure for the attorneys fees claimed in this case, apart from any claim for damages, would exceed \$50,000.00.

Under all of the circumstances, we believe that it is appropriate to settle Ms. Gonzalez' claims on these terms. Because the settlement is deemed expeditious to the City of Milwaukee, we recommend payment of this settlement and have enclosed an appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

JAN A. SMOKOWICZ  
Assistant City Attorney

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Encs.

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