

December 3, 2003

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

Re: Communication from Linda Phipps  
C.I. File No. 03-L-116

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, Linda Phipps, 6011 West Custer Avenue, Milwaukee, WI 53218 alleges that on May 9, 2003 the Milwaukee Police Department unlawfully searched her residence and notified the Milwaukee Housing Authority's Public Safety Office, making false allegations against her which led to the commencement of eviction proceedings. She alleges that rental assistance was terminated and claims damages in the amount of \$50,000.00.

Our investigation reveals that on May 9, 2003, Milwaukee Police Officers went to the residence to check for Markeith Phipps, the claimant's son, who was wanted on a State Absconding Warrant and three Municipal Warrants. Since this would take place on the property of the Milwaukee Housing Authority, the officers requested that a representative respond. While conducting a search of the residence, an officer discovered a plastic bag containing cocaine. There is no evidence to corroborate the claimant's allegation that false accusations were made to the Housing Authority. The claimant was evicted for violating provisions of her lease with

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regard to the disturbance and the presence of illegal drugs in the unit. The claimant had not received rental assistance and her application for it was denied based upon this disturbance and the presence of illegal drugs in the public housing unit. The City and its employees acted properly in this matter and 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  
1032-2003-2860:75547