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March 11, 2008

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

Re: Resolution relating to the claim of Hayden Headley  
C.I. File No. 07-L-117

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, Hayden Headley, 2458 West Lloyd Street, Milwaukee, WI 53205 alleges he suffered monetary and property losses due to the Milwaukee Police Department (MPD) utilizing tear gas to resolve a tactical situation on September 25, 2007 involving a wanted person with a gun at 2925 West Burleigh Street. He claims damages in the amount of \$7,102.00.

Our investigation reveals that the MPD was summoned to this location regarding a subject with a gun that was holding two adults and two children hostage. Upon arrival at the location, the responding squads heard three shots come from the residence. The hostages were released, but the individual with the gun did not exit the building. The decision was made that the MPD tactical unit would deploy tear gas canisters to resolve this situation.

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The suspect was found inside the building dead from a self-inflicted gun shot wound. The MPD was acting within its sphere of responsibility, as such; the City would not be liable and we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:beg  
Enclosure  
1032-2007-3375:130139