

# CITY OF MILWAUKEE

Form CA-43

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December 3, 2004

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

Re: Communication from Obbie Ward, Sr.  
C.I. File No. 04-L-133

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, Obbie Ward, Sr., 4032 North 17<sup>th</sup> Street, Milwaukee, WI 53209, alleges that on September 16, 2004 the Milwaukee Police Department made a forced entry into his home and also confiscated the claimant's two guns as evidence. He claims damages in the amount of \$30,000.00.

Our investigation reveals that the police executed a lawful Search Warrant which necessitated the use of forced entry. This use of force is authorized by Wisconsin Statute §968.14. The search led to the arrest of the claimant's son on forgery charges. The claimant's guns were seized as evidence. It is our understanding that they are still being held as evidence and can be


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released only with the authorization of the responsible police officer or a court order under Wisconsin Statute §968.20. The City and its employees acted properly in this matter and would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,



GRANT F. LANGLEY  
City Attorney



MICHAEL G. TOBIN  
Assistant City Attorney

MGT:beg  
Enclosure  
1032-2004-3153:87742