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November 2, 2023

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

RE: Communications from EDWARD HILL
C.I. File No. 1032-2023-1528

Dear Sir or Madam:

Mr. Edward Hill has filed a claim seeking replacement value of his 2020 Honda Civic that was allegedly stolen from the City tow lot located at 3811 W. Lincoln Avenue. American Honda Finance Corporation is the lienholder and the payoff amount is \$31,717.37. The subject vehicle is uninsured.

We completed an investigation into this matter with both the Milwaukee Police Department and the City of Milwaukee Tow lot.

Our investigation reveals that on August 26, 2023, at approximately 2:30 a.m., the Milwaukee Police Department (MPD) responded to a call reported for shots fired. Upon arrival, MPD noticed a 2020 charcoal grey Honda Civic with dark tinted windows parked on the street. As they approached the subject vehicle, it drove away at a high rate of speed. MPD initiated non-pursuit of the subject vehicle, and after hearing a crash nearby, MPD discovered the driver fled, leaving the subject vehicle unattended and abandoned. MPD conducted a search and initiated a tow from 4500 W. Clarke Street to the City of Milwaukee Tow Lot 3811 W. Lincoln Avenue for safekeeping.

DPW Tow lot intake records indicated that the subject vehicle arrived with damages sustained to the left rear bumper and front right fender. There were no keys with the vehicle. Further investigation revealed that the City Tow lot is secured by a barbed wire fence, surveillance cameras, and is staffed with 24-7 security.

On that same day, Notice of Tow letters were mailed to both Edward Hill and his lienholder, American Honda Finance Corporation, which gave notice that the subject vehicle was impounded at the Tow lot and instructions were included on how to reclaim the vehicle.



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On August 27, 2023, at approximately 11:00pm, the Tow lot experienced a break in and reported it to MPD. MPD responded to investigate for possible entry and reported that three subjects approached the City Tow lot and bolt cutters were located at a cut in the fence that gained access to the Tow lot. The on duty security guard was conducting his rounds when the subject vehicle approached him head on at a high rate of speed that put his life at risk. The subject vehicle fled through the entry gate and drove off the Tow lot premises. MPD also reported the three subjects appeared to have a key fob to locate the subject vehicle and there were several other vehicles ransacked. The subject vehicle is unrecovered and there were no suspects arrested.

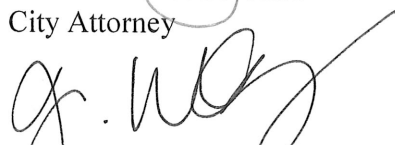
DPW Tow reported that on September 6, 2023, American Honda Finance called to inquire about the vehicle.

According to Mr. Hill's statement, he purchased the vehicle on February 20, 2023, for \$29,000, and the vehicle was registered to the address of 2544 N. Maryland Avenue. Mr. Hill confirmed that upon purchase of the vehicle, he received two keys of which one key was unaccounted for. Mr. Hill normally parked his vehicle in his driveway and he left the key in the cup holder. Mr. Hill also reported that First Chicago Insurance insured the vehicle, but the insurance cancelled because of a motor vehicle accident that occurred approximately 4-5 months prior to this incident. Mr. Hill stated on August 31, 2023, he first learned of his vehicle missing when he was released from jail. Mr. Hill went to the police station to file a report and at that time, he was informed that his vehicle had been reported stolen. On September 7, 2023, Mr. Hill reported to the Tow lot in person and inquired about his vehicle.

It is our position that both the Milwaukee Police Department and Department of Public Works City Tow Lot followed proper procedures in this matter. Accordingly, we recommend that the claim be denied.

Very truly yours,


TEARMAN SPENCER
City Attorney


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TS/JLW/MG/cdr

Enclosures

1032-2023-1528/288181