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**City of Racine, Wisconsin
Common Council**

AGENDA BRIEFING MEMORANDUM

COMMITTEE: Finance and Personnel

LEGISLATION ITEM #: 0192-22

AGENDA DATE: April 11, 2022

DEPARTMENT: City Attorney's Office

Prepared By: Deputy City Attorney Marisa L. Roubik

SUBJECT: Communication sponsored by Alder Taft on behalf of the City Attorney's Office submitting the claim of Carol Oberlin for consideration for disallowance.

EXECUTIVE SUMMARY:

Carol Oberlin filed a claim with the City requesting \$1,050.00 for alleged damages sustained to her front and back doors resulting from her locking her minor child out of their home on or about the night of November 29, 2021. The City Attorney's Office recommends that the claim of Carol Oberlin be denied.

BACKGROUND & ANALYSIS:

Carol Oberlin, of 3215 21st Street, Racine, Wisconsin, filed this claim for reimbursement in the amount of \$1,050.00 for alleged damages sustained to her front and back doors resulting from her locking her minor child out of their home on or about the night of November 29, 2021. The City denies liability for the damages alleged in this claim.

According to police reports, on or around 9:30 PM on November 29, 2021, Ms. Oberlin's 17-year-old son called police dispatch to report that his mother had locked him out of their home and would not let him into the house because he had arrived home after his mother's curfew due to working late at his job. Approximately two-and-a-half hours later, police were dispatched to the residence around midnight due to Ms. Oberlin's continued refusal to let her minor child into the residence, forcing him to remain outside late at night in 19 degree weather. When police arrived, they found Ms. Oberlin's minor son standing outside on the residence's unenclosed porch. He showed police a video he had taken prior to the police officers' arrival that evening, which indicated his mother was in the house, awake, and aware of her son's presence outside her residence, yet she refused to unlock the door for him. Police proceeded to knock on her front

32 door, call her phone, and knock on the residences' windows and back door in order to make contact with
33 her. Ms. Oberlin refused to answer both the door and her phone for another 45 minutes while police
34 attempted to find a shelter that would take her minor son in for the night. When Ms. Oberlin finally
35 answered the door for the police around 12:45 AM, she accused them of damaging her door by knocking
36 on it.

37 The City denies liability for the damages alleged in this claim.

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39 **BUDGETARY IMPACT:**

40 Assuming the recommendation to deny this claim is adopted, this item would have a \$0.00 impact
41 on the City's budget.

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43 **OPTIONS/ALTERNATIVES:**

44 If this claim were to be paid by the City—contrary to any indication of the City's liability for the
45 alleged damages—this item would have up to a \$1,050.00 impact on the City's 2022 claims budget.

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47 **RECOMMENDED ACTION:**

48 That the disallowance of this claim be recommended for approval.

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50 **ATTACHMENT(S):**

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