



**City of Racine, Wisconsin  
Common Council**

**AGENDA BRIEFING MEMORANDUM**

**COMMITTEE: Finance and Personnel**

**LEGISLATION ITEM #: 0703-21**

**AGENDA DATE: September 13, 2021**

**DEPARTMENT: City Attorney's Office**

**Prepared By: Assistant City Attorney Marisa Roubik**

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

**EXECUTIVE SUMMARY:**

Cheryl Christensen, of Racine, Wisconsin, filed a claim with the City of Racine on or about June 21, 2021 demanding between \$400,000 to \$10 million in alleged damages arising from an October 16, 2020 incident wherein police officers entered her home under the community caretaker doctrine. Because this claim was not timely filed within 120 days of the event giving rise to the claim, it is the recommendation of the City Attorney's Office that this claim be disallowed.

**BACKGROUND & ANALYSIS:**

On or about June 21, 2021, claimant, Cheryl Christensen, of Racine, Wisconsin, filed a claim with the City demanding between \$400,000 to \$10 million in alleged damages arising from an October 16, 2020 incident wherein police officers entered her home under the community caretaker doctrine.

Wisconsin Statute section 893.80(1d)(a) requires that a claimant file a written notice of the circumstances of a claim against the City "[w]ithin 120 days after the happening of the event giving rise to the claim." Because this claim was filed more than 275 days after the happening of the October 16, 2021 incident giving rise to this claim, the City Attorney's Office recommends that this claim be disallowed, as it is not legally actionable due to its untimely service.

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30 **BUDGETARY IMPACT:**

31           Assuming the recommendation to disallow this claim is adopted, this item would have a \$0.00  
32 impact on the City's budget.

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34 **RECOMMENDED ACTION:**

35           That the claim of Cheryl Christensen be disallowed.

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