

SERVICE AND PROCESSING OF CLAIMS

Plaintiff or Claimant: Jacob Pogorzelski

Date: 5/3/19

- In-person
 - Process Server
 - Claimant
 - Other _____

By mail

By email

By fax

Received by: Venny Slivka

- Hand deliver to: Ann Marie or Janel
- Forwarded to Attorney's Office by Ann Marie or Janel
- Response from Attorney's Office
- Common Council Agenda: Yes No

RECEIVED
MAY - 3 2019
CITY OF WEST ALLIS
CITY CLERK

Jenny Slivka

From: Laurie Pogorzelski <lpogorz@sfsd.k12.wi.us>
Sent: Sunday, May 05, 2019 7:55 PM
To: Jenny Slivka
Subject: Help Needed
Attachments: WAPD Jake 2.docx

Hi Jenny-

Can you please remove the previous letter that I wrote to the Council, with this one? After speaking with Officer Iskandarani, I realize that my dates are incorrect. If you could just pull the old letter, and replace it with this, I would greatly appreciate it!

Thanks much-

Laurie Pogorzelski

--

"Work constantly to improve without becoming satisfied. It's what you learn after you know it all that counts."

John Wooden

Laurie Pogorzelski

Principal, Willow Glen School

Director of Curriculum and Instruction, K-12

School District of St. Francis

2600 E. Bolivar Avenue

St. Francis, WI 53235

(414)486-6310

May 3, 2019

Dear Council Members,

I am requesting reimbursement for my phone that was lost was the West Allis Police Department during an arrest in April. The details are as follows:

On April 21, 2019 I was arrested at the address of 3165 S. Toldt Parkway, West Allis 53227 at approximately 5:00pm. Officer Schultz was the officer who appeared to be the lead in the arrest.

My cell phone was taken from me by an officer and placed on top of a squad car. The squad car left the scene with my cell phone still on top. This can all be verified through body cam. I arrived at the police station without my phone.

My mother, Laurie Pogorzelski, is the owner of the cell phone through Sprint. She contacted the West Allis Police Department on April 23rd inquiring about the phone. She explained that I had my phone when I was being arrested, but I did not have it when I arrived at the West Allis Police Station. The officer said that there was no documentation of property taken from me the day of the arrest. My mother explained to the officer that she was able to locate my phone through Sprint Family Locator and through Find My iPhone throughout that evening (April 21st) and into the next day. The phone was located near 41st and Florist. Officers explained that they are not in that area, and they did not know how the phone ended up there.

As you can see from her call log, she communicated several more times with Officer Schutlz and with Officer Iskandarani. It was Officer Iskandarani that reviewed the footage from body cams during the arrest, and identified that the phone had been taken from me and left on top of a squad car. The squad drove away with the phone still on top of it. Officer Iskandarani apologized for the loss of the phone, and suspected that when the phone fell off the top of the car, someone picked it up and took it to the area of 41st and Florist. He accepted full responsibility for this error, and suggested that a claim form be filled out at City Hall. When asked if any written documentation was needed for this claim, we were told that the information would be in the form of *inter-office documentation*, and we would **not** need a report. If needed by the Council, it could be obtained through inter-office processes.

I'd like reimbursement for my iPhone 7. The cost to purchase this phone would be \$299.00 through Best Buy and through a Sprint store. I use my phone for college work and many other things, so we needed to replace it quickly. A new iPhone has since been purchased.

I would also like to add that I am very regretful for the arrest on April 21. My father passed away 2 years ago unexpectedly, and I was just discharged (April 7) from 7 months in a voluntary alcohol rehabilitation program. This was my first family gathering since coming home, and I relapsed. I am trying, once again, to gain control over my addiction and I made amends to all who witnessed by behavior on Easter Sunday.

Please consider reimbursing me \$299 for the iPhone 7. The money will be used to put towards the purchase of my new phone.

Thank you,

Jacob Pogorzelski

Jenny Slivka

From: Laurie Pogorzelski <lpogorz@sfsd.k12.wi.us>
Sent: Monday, May 06, 2019 9:04 AM
To: Jenny Slivka
Subject: Updated Claim Form
Attachments: WAPD #2.pdf

Hi Jenny-
Attached is the updated claim form, which will accompany the updated letter from yesterday.
Thank you!!!!
Laurie Pogorzelski
--

"Work constantly to improve without becoming satisfied. It's what you learn after you know it all that counts."

John Wooden

Laurie Pogorzelski

Principal, Willow Glen School

Director of Curriculum and Instruction, K-12

School District of St. Francis

2600 E. Bolivar Avenue

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CLAIM FORM AND INFORMATION

Important Information: For the City of West Allis to consider your claim, you must follow the Wisconsin statutory procedure for filing a claim. Completing this form does not guarantee compliance with statutory procedure. City employees, including the City Attorney's Office, cannot give you legal advice or instructions on the statutory procedure. Any questions regarding claims should be directed to the City Attorney's Office at 414-302-8450.

NOTICE OF CLAIM

Name: Jacob Pogorzelski Incident/Accident Information
Address: 20060 W. Rustic Ridge Dr. Date: April 21, 2019
New Berlin, WI 53146 Time: 5:00 pm
Phone: (262) 510-8383 Place: 3165 Toldt Pkwy, West Allis

CIRCUMSTANCES OF CLAIM

In the space below briefly describe the circumstances of your claim. (Attach additional sheets, if necessary). Some helpful information may be the police report, pictures of the incident or damage, a diagram of the location, a list of injuries, a list of property damage, names and contact information for witnesses to the incident, and any other information relevant to the circumstances.

Please see attached.
Phone IEMT 355343086489361

Signed: Jacob Pogorzelski Date: 5-6-2019

CLAIM

NOTE: You are not required to make a claim at this time. As long as you have filed the above Notice of Claim you may file a claim with the City of West Allis at any time consistent with the applicable statute of limitations. However, no action will be taken by the City of West Allis to formally accept or deny your claim until the following information is provided:

The undersigned hereby makes a claim against the City of West Allis of arising out of the circumstances described above. The amount sought is: \$ 299.00 (Please attach an itemized statement of damages sought including at least 2 estimates for repairs.)

Signed: Jacob Pogorzelski Date: 5-6-2019
Address: 20060 W. Rustic Ridge Dr, New Berlin WI 53146

CLAIM FORM AND INFORMATION

Important Information: For the City of West Allis to consider your claim, you must follow the Wisconsin statutory procedure for filing a claim. Completing this form does not guarantee compliance with statutory procedure. City employees, including the City Attorney's Office, cannot give you legal advice or instructions on the statutory procedure. Any questions regarding claims should be directed to the City Attorney's Office at 414-302-8450.

NOTICE OF CLAIM

Name: Jacob Pogorzelski Incident/Accident Information
Address: 20000 W. Rustic Ridge Dr. Date: April 14, 2019
New Berlin, WI 53146 Time: 5:00 pm
Phone: (262) 510-8383 Place: 3165 Taldt Pkwy, West Allis

CIRCUMSTANCES OF CLAIM

In the space below briefly describe the circumstances of your claim. (Attach additional sheets, if necessary). Some helpful information may be the police report, pictures of the incident or damage, a diagram of the location, a list of injuries, a list of property damage, names and contact information for witnesses to the incident, and any other information relevant to the circumstances.

Please see attached

Phone IEMI 355343086489361

Signed: [Signature] Date: 5-3-2019

CLAIM

NOTE: You are not required to make a claim at this time. As long as you have filed the above Notice of Claim you may file a claim with the City of West Allis at any time consistent with the applicable statute of limitations. However, no action will be taken by the City of West Allis to formally accept or deny your claim until the following information is provided:

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Signed: [Signature] Date: 5-3-2019
Address: 20000 W. Rustic Ridge Drive, New Berlin 53146

May 3, 2019

Dear Council Members,

I am requesting reimbursement for my phone that was lost was the West Allis Police Department during an arrest in April. The details are as follows:

On April 14, 2019 I was arrested at the address of 3165 S. Toldt Parkway, West Allis 53227 at approximately 5:00pm. Officer Schultz was the officer who appeared to be the lead in the arrest.

My cell phone was taken from me by an officer and placed on top of a squad car. The squad car left the scene with my cell phone still on top. This can all be verified through body cam. I arrived at the police station without my phone.

My mother, Laurie Pogorzelski, is the owner of the cell phone through Sprint. She contacted the West Allis Police Department on April 16th inquiring about the phone. She explained that I had my phone when I was being arrested, but I did not have it when I arrived at the West Allis Police Station. The officer said that there was no documentation of property taken from me the day of the arrest. My mother explained to the officer that she was able to locate my phone through Sprint Family Locator and through Find My iPhone throughout that evening (April 14th) and into the next day. The phone was located near 41st and Florist. Officers explained that they are not in that area, and they did not know how the phone ended up there.

As you can see from her call log, she communicated several more times with Officer Schutlz and with Officer Iskandarani. It was Officer Iskandarani that reviewed the footage from body cams during the arrest, and identified that the phone had been taken from me and left on top of a squad car. The squad drove away with the phone still on top of it. Officer Iskandarani apologized for the loss of the phone, and suspected that when the phone fell off the top of the car, someone picked it up and took it to the area of 41st and Florist. He accepted full responsibility for this error, and suggested that a claim form be filled out at City Hall. When asked if any written documentation was needed for this claim, we were told that the information would be in the form of *inter-office documentation*, and we would not need a report. If needed by the Council, it could be obtained through inter-office processes.

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I would also like to add that I am very regretful for the arrest on April 14. My father passed away 2 years ago unexpectedly, and I was just discharged (April 7) from 7 months in a voluntary alcohol rehabilitation program. This was my first family gathering since coming home, and I relapsed. I am trying, once again, to gain control over my addiction and I made amends to all who witnessed by behavior on Easter Sunday.

Please consider reimbursing me \$299 for the iPhone 7. The money will be used to put towards the purchase of my new phone.

Thank you,




Jacob Pogorzelski

To Whom it May Concern:

You have my permission to communicate with my mother, Laurie Pogorzelski, regarding this. The phone was owned by her, through our Sprint plan. She was in communication with Officer Iskandarani regarding the loss of this phone.

Thank you-


Jacob Pogorzelski

Laurie Pogorzelski

20060 W. Rustic Ridge Drive

New Berlin, WI 53146

(414)732-1059

Call to order 1-866-275-1411

Sign out v



Police Communication



Call Log

TODD POGORZELSKI

Filter results...



Date Phone #	Time Destination	Minutes Used
05/03/19 414-379-3490	7:34 AM MILWAUKEE,WI	9.0
05/03/19 262-751-7082	7:29 AM Incoming,	1.0
05/02/19 262-510-8383	6:24 PM Incoming,	1.0
* 05/02/19 414-302-8000	4:31 PM MILWAUKEE,WI	1.0
* 05/02/19 414-302-8200	4:20 PM MILWAUKEE,WI	8.0
* 05/02/19 414-302-8200	4:18 PM MILWAUKEE,WI	2.0
05/02/19 262-797-2000	4:14 PM MILWAUKEE,WI	3.0
05/02/19 312-545-6005	3:39 PM Incoming,	2.0
05/02/19 715-470-0000	3:09 PM EAGLE RIDGE,WI	4.0

Call to order 1-866-275-1411

Sign out v



There were several more calls prior to this billing statement. This just serves as an example of communication.



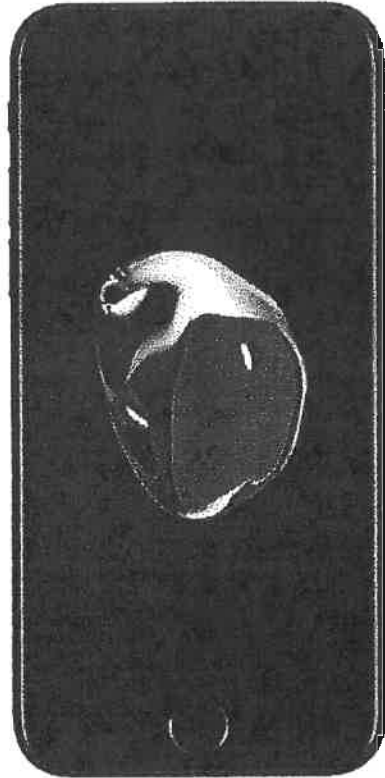
04/27/19 262-510-8383	2:12 PM Incoming,	11.0
04/27/19 262-751-7082	10:51 AM Incoming,	2.0
04/26/19 414-302-8000 *	8:28 PM MILWAUKEE,WI	2.0
04/26/19 262-510-8383	4:52 PM Incoming,	14.0
04/26/19 262-510-8383	4:29 PM Incoming,	12.0
04/26/19 262-782-6910	4:26 PM Incoming,	1.0
04/26/19 414-831-1051	4:10 PM Incoming,	5.0
04/26/19 262-782-6910	3:47 PM MILWAUKEE,WI	3.0
04/26/19 262-510-8383	2:10 PM Incoming,	6.0
04/26/19 262-796-3660	2:03 PM Incoming,	4.0
04/26/19 262-510-8383	1:56 PM Incoming,	1.0
04/26/19 262-510-8383	1:13 PM Incoming,	2.0

*Replacement cost

Total Wireless - iPhone 7 - Jet Black

Model: TWAPI7C32BK3PWP SKU: 6318675

5.0 (5 Customers) | 4.1 (51 Experts) | 29 Answered Questions



\$299.99 | \$50.00/mo.*
suggested payments with
6-Month Financing
Show me how >

Free 3 months of SiriusXM streaming

Protection for your Apple Product
Learn more about AppleCare

AppleCare+

Monthly \$5.99 | 2 Years \$129.00

AppleCare+ with Theft and Loss

2 Years \$199.00 | No plan selected

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Available for Pickup Today

Store Pickup: Available at Southridge

Shipping: FREE Shipping by Sat, May 4 or Same-Day Delivery is available to 53235

Help

Cardmember Offers

6 Month Financing

Get 5% Back in Rewards

Upgrade your mobile communication with this Apple iPhone 7 for Total Wireless. With 32GB of storage, it stores an abundance of apps and data, and its 12-megapixel camera takes clear, sharp photos in low light and records video at resolutions up to 4K. This Apple iPhone 7 for Total Wireless includes TouchID fingerprint sensor technology for extra security.

Frequently bought together

Item you're currently viewing



\$299.99

Offer disclaimer



Total Wireless - \$35 Prepaid Phone Card

\$35.00

Selected



OtterBox - Commuter Series Case for Apple® iPhone® 7 and 8 - Black

\$39.99

Selected



PopSockets - Finger Grip/Kickstand for Mobile Phones - Disco Crystal Silver

\$14.99

Selected

Jenny Slivka

From: Laurie Pogorzelski <lpogorz@sfsd.k12.wi.us>
Sent: Friday, May 03, 2019 10:32 AM
To: Jenny Slivka
Subject: Claim Form
Attachments: Jake WAPD Phone Claim.pdf

Hi Jenny-

Thank you for sending me the claim form yesterday via email. Please find all the necessary documents attached to this email. I understand that the Council meets again on Tuesday. If possible, I'd like this claim on the agenda. Let me know if you need anything else - Again, Officer Iskandarani said that a Police Report was not needed for this claim. He said that the information was in inter-office documentations.

Much appreciated-
Laurie Pogorzelski

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"Work constantly to improve without becoming satisfied. It's what you learn after you know it all that counts."

John Wooden

Laurie Pogorzelski

Principal, Willow Glen School

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