



## Legislation Details (With Text)

**File #:** 2518-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 9/9/2022      **In control:** Criminal Justice & Judiciary Committee

**On agenda:** 9/19/2022      **Final action:** 9/21/2022

**Title:** To authorize and direct the City Attorney to settle the lawsuit captioned Timothy Hawkins v. Bryan Williams, et al., United States District Court Case No. 2:21-cv-4291; to authorize the expenditure of the sum of three hundred and seventy-five thousand dollars and zero cents (\$375,000.00) in settlement of the lawsuit; and to declare an emergency. (\$375,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2518-2022 Fiscal Attachment.pdf

Date	Ver.	Action By	Action	Result
9/21/2022	1	CITY CLERK	Attest	
9/20/2022	1	MAYOR	Signed	
9/19/2022	1	COUNCIL PRESIDENT	Signed	
9/19/2022	1	Columbus City Council	Approved	Pass

This Ordinance is submitted to settle the lawsuit captioned *Timothy Hawkins v. Bryan Williams, et al.*, United States District Court Case No. 2:21-cv-4291, in the amount of Three Hundred Seventy-Five Thousand Dollars (\$375,000.00). On or about July 30, 2020, then Detective Bryan Williams filed a warrant for Plaintiff's arrest in the Franklin County Municipal Court charging two counts of violating O.R.C. §2911.01(A)(1), Aggravated Robbery, a first degree felony, under case number 2020 CRA 11038. Plaintiff was subsequently arrested on September 15, 2020, in Orange County, Florida by the U.S. Marshals on this warrant and transported to the Orange County Correctional Facility to await extradition to Ohio. As a part of the Orange County Correctional Facility's processing of incoming inmates, Plaintiff had to undergo a strip search and body cavity search. On September 21, 2020, the prosecuting attorney dismissed the charges and Plaintiff was subsequently released from the Orange County Correctional Facility that same day. Mr. Hawkins' lawsuit names Columbus Police Officer Bryan Williams and Columbus Police Sergeant Ray Meister as defendants. Mr. Hawkins alleges, among other things, that: (a) he was arrested and charged without probable cause in violation of his Fourth and Fourteenth Amendment rights; (b) Defendants caused Plaintiff to be falsely arrested and imprisoned, and battered; and (c) he suffered damages.

Funds were not specifically budgeted for this settlement; however, sufficient monies are available within Finance's Citywide Account for this purpose.

To authorize and direct the City Attorney to settle the lawsuit captioned *Timothy Hawkins v. Bryan Williams, et al.*, United States District Court Case No. 2:21-cv-4291; to authorize the expenditure of the sum of three hundred and seventy-five thousand dollars and zero cents (\$375,000.00) in settlement of the lawsuit; and to declare an emergency. (\$375,000.00)

**WHEREAS**, Timothy Hawkins alleges that Columbus Police Officer Bryan Williams and Columbus Police Sergeant Ray Meister violated his constitutional rights on or about July 30, 2020 by filing a warrant for his arrest without probable cause, leading to his arrest on September 15, 2020, in violation of his Fourth and Fourteenth Amendment rights; and

**WHEREAS**, following the evaluation of the incident, a settlement in the amount of Three Hundred Seventy-Five Thousand Dollars (\$375,000.00), to be paid by the City, was deemed to be acceptable in exchange for a release from Timothy Hawkins of any claims against the City of Columbus and any of its employees, agents, officials, including Columbus Police Officer Bryan Williams and Columbus Police Sergeant Ray Meister; and

**WHEREAS**, an emergency exists in the usual daily operations of the Department of Public Safety, Division of Police, in that it is necessary for this ordinance to be effective immediately in order for the parties to effectuate the settlement of these claims in accordance with the terms of the settlement agreement, which is in the best interest of the City, and to pay the agreed to sum without delay; **NOW, THEREFORE**,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the City Attorney be and hereby is authorized and directed to settle all claims against the City of Columbus, its officers, agents, and employees, including Columbus Police Officer Bryan Williams and Columbus Police Sergeant Ray Meister, by payment of the sum of Three Hundred Seventy-Five Thousand Dollars and zero cents (\$375,000.00) as a reasonable and fair amount and in the best interest of the City of Columbus.

**SECTION 2.** That the transfer of \$375,000.00, or so much thereof as may be needed, is hereby authorized between object classes within the General Fund from the Department of Finance's city-wide account to the Department of Public Safety per the account codes in the attachment to this ordinance.

**SECTION 3.** That the expenditure of \$375,000.00, or so much thereof as may be needed, is hereby authorized as follows in the General Fund object class 05 per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such account codes as necessary.

**SECTION 5.** That, upon receipt of an approved invoice and a release approved by the City Attorney, the City Auditor be and is hereby authorized to draw a warrant upon the City Treasurer for the sum of Two Hundred Thirty-Nine Thousand Three Hundred Thirty-Four Dollars and Ninety-Six Cents (\$239,334.96) made payable to Timothy Hawkins, and One Hundred Thirty-Five Thousand Six Hundred Sixty-Five Dollars and Four Cents (\$135,665.04) made out to The Gittes Law Group. The total of these two checks is equal to Three Hundred Seventy-Five Thousand Dollars (\$375,000.00).

**SECTION 6.** That for the reasons stated in the preamble hereto, which is made a part hereof, this ordinance is hereby declared to an emergency measure and shall take effect and be in force after passage and approval by the Mayor, or 10 days after passage if the Mayor neither vetoes nor approves the same.