



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed
File created: 2/6/2023 **In control:** Criminal Justice & Judiciary Committee
On agenda: 2/27/2023 **Final action:** 3/1/2023
Title: To authorize and direct the City Attorney to settle the lawsuit captioned Cameryn Standifer v. City of Columbus, et al., United States District Court Case No. 2:19-cv-3803; to authorize the expenditure of the sum of four hundred and forty thousand dollars and zero cents (\$440,000.00) in settlement of the lawsuit; and to declare an emergency. (\$440,000.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
3/1/2023	1	CITY CLERK	Attest	
2/28/2023	1	MAYOR	Signed	
2/27/2023	1	COUNCIL PRESIDENT	Signed	
2/27/2023	1	Columbus City Council	Approved	Pass

Background:

This Ordinance is submitted to settle the lawsuit captioned *Cameryn Standifer v. City of Columbus, et al.*, United States District Court Case No. 2:19-cv-3803, in the amount of Four Hundred Forty Thousand Dollars (\$440,000.00). On or about August 1, 2018, Officer Brandon Harmon arrested Cameryn Standifer for an outstanding warrant for failure to appear on a traffic violation matter. During the arrest Mr. Standifer was taken to the ground by Officer Harmon. Mr. Standifer sustained an abrasion to his left knee as a result of the take down. Medics responded to the scene of the arrest and transported Mr. Standifer to the hospital. Afterwards, Mr. Standifer was transported to the Franklin County Jail. Officer Harmon charged Mr. Standifer with resisting arrest but the charge was later dismissed by the prosecuting attorney. As a result of the injuries sustained during the take down, Mr. Standifer contracted a MRSA infection which required extensive medical treatment. In the lawsuit, Plaintiff alleged, among other things, that (a) Officer Harmon assaulted him and used excessive and unreasonable force when he arrested him on August 1, 2018 in violation of his Fourth and Fourteenth Amendment rights; (b) that Officer Harmon intentionally inflicted serious emotional distress upon him and that he committed malicious prosecution and assault and battery; and (c) he suffered damages.

Fiscal Impact:

This ordinance authorizes the settlement of a lawsuit captioned *Camryn Standifer v. City of Columbus, et al.*, United States District Court Case No. 2:19-cv-3803; Funds were not specifically budgeted for this settlement; however, sufficient monies are available within Finance's Citywide Account for this purpose. **This ordinance is contingent on the passage of the 2023 General Fund Operating Budget by Columbus City Council.**

To authorize and direct the City Attorney to settle the lawsuit captioned *Cameryn Standifer v. City of Columbus, et al.*, United States District Court Case No. 2:19-cv-3803; to authorize the expenditure of the sum of four hundred and forty thousand dollars and zero cents (\$440,000.00) in settlement of the lawsuit; and to declare an emergency. (\$440,000.00)

WHEREAS, Cameryn Standifer alleges that Columbus Police Officer Brandon Harmon violated his constitutional rights on or about August 1, 2018 by using excessive and unreasonable force when he arrested him, in violation of his Fourth and Fourteenth Amendment rights; and

WHEREAS, following the evaluation of the incident, a settlement in the amount of Four Hundred Forty Thousand Dollars (\$440,000.00), to be paid by the City, was deemed to be acceptable in exchange for a release from Cameryn Standifer of any claims against the City of Columbus and any of its employees, agents, officials, including Columbus Police Officer Brandon Harmon; 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 Brandon Harmon, by payment of the sum of Four Hundred Forty Thousand Dollars and zero cents (\$440,000.00) as a reasonable and fair amount and in the best interest of the City of Columbus.

SECTION 2. That the transfer of \$440,000.00, or so much thereof as may be needed, is hereby authorized between object classes within the General Fund Transfer Line per the account codes in the attachment to this ordinance:

SECTION 3. That the expenditure of \$440,000.00, or so much thereof as may be needed, is hereby authorized as follows in the General Fund object class 05 Medical Claims per the accounting codes in the attachment to this ordinance:

SECTION 4. That, upon receipt of an 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 four hundred and forty thousand dollars and zero cents (\$440,000.00) made payable to Cameryn Standifer, and the Olsheski Law Co.

SECTION 5. 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.