



Legislation Details (With Text)

File #: 0876-2023 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 3/14/2023 **In control:** Criminal Justice & Judiciary Committee
On agenda: 4/3/2023 **Final action:** 4/5/2023

Title: To authorize and direct the City Attorney to settle the lawsuit known as Serrina Jackson v. Joe Richard, et al., Case No. 2:21-cv-0574 pending in the United States District Court for the Southern District of Ohio; to authorize the expenditure of the sum of two hundred twenty-five thousand dollars and zero cents (\$225,000.00) in settlement of this lawsuit; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/5/2023	1	CITY CLERK	Attest	
4/4/2023	1	MAYOR	Signed	
4/4/2023	1	MAYOR	Signed	
4/4/2023	1	MAYOR	Signed	
4/3/2023	1	COUNCIL PRESIDENT	Signed	
4/3/2023	1	COUNCIL PRESIDENT	Signed	
4/3/2023	1	COUNCIL PRESIDENT	Signed	
4/3/2023	1	Columbus City Council	Approved	Pass

Background:

This Ordinance is submitted to settle the lawsuit known as *Serrina Jackson v. Joe Richard, et al.*, United States District Court for the Southern District of Ohio Case No. 2:21-cv-0574, in the amount of two hundred fifty thousand dollars and zero cents (\$250,000.00) of which two hundred twenty-five thousand dollars and zero cents (\$225,000.00) will be paid by the City of Columbus and twenty-five thousand dollars and zero cents (\$25,000.00) will be paid by Joe Richard. Plaintiff Serrina Jackson's lawsuit arises out of a claim that Joe Richard sexually harassed and assaulted her while she was employed as a cadet with the City of Columbus, Division of Fire.

On February 5, 2021, Ms. Jackson re-filed a lawsuit in the Court of Common Pleas of Franklin County, Ohio, against Joe Richard and the City of Columbus, in which she claimed that Joe Richard sexually harassed and assaulted her while she was employed as a cadet with the City of Columbus, Division of Fire. She alleges the City knew or should have known about Richard's conduct and failed to stop it. On February 9, 2021, the lawsuit was removed to the United States District Court for the Southern District of Ohio.

Fiscal Impact:

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

Emergency action is requested for this ordinance to be effective immediately in accordance with the terms of the settlement of this lawsuit, which is in the best interest of the City, and to pay the agreed to sum without delay.

To authorize and direct the City Attorney to settle the lawsuit known as *Serrina Jackson v. Joe Richard, et al.*, Case No. 2:21-cv-0574 pending in the United States District Court for the Southern District of Ohio; to authorize the expenditure of the sum of two hundred twenty-five thousand dollars and zero cents (\$225,000.00) in settlement of this lawsuit; and to declare an emergency.

WHEREAS, on February 5, 2021, a lawsuit was re-filed by Serrina Jackson in the Court of Common Pleas of Franklin County, Ohio, against Joe Richard and the City of Columbus, in which she claimed that Joe Richard sexually harassed and assaulted her while she was employed as a cadet with the City of Columbus, Division of Fire and that the City knew or should have known about Richard's conduct and failed to stop it; and

WHEREAS, On February 9, 2021, the lawsuit was removed to the United States District Court for the Southern District of Ohio; and

WHEREAS, following the evaluation of the claims and the risk of continued litigation of the claims against the City of Columbus, a settlement in the amount of two hundred twenty-five thousand dollars and zero cents (\$225,000.00) to be paid by the City, was deemed acceptable by the City of Columbus, Department of Public Safety, along with dismissal of the case with prejudice and a release of the City of Columbus and its employees from any further liability; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Safety, Division of Fire, in that it is necessary for this ordinance to be effective immediately in order for the parties to effectuate the settlement of this lawsuit in accordance with terms of the agreement, which is in the best interest of the City, and to pay the agreed to sum without delay for the immediate preservation of the public peace, property, health or safety; **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 pending in the case known as *Serrina Jackson v. Joe Richard, et al.* pending in the United States District Court for the Southern District of Ohio by payment of Two Hundred Twenty-Five Thousand Dollars and Zero Cents (\$225,000.00) as a reasonable and fair amount and in the best interest of the City of Columbus.

SECTION 2. That the transfer of \$225,000.00, or so much thereof as may be needed, is hereby authorized between object classes within the General Fund from the Department of Finance's Citywide account to the Department of Public Safety per the accounting codes in the attachment to this ordinance:

SECTION 3. That the expenditure of \$225,000.00, 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, upon the 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 one for the sum of Two Hundred Twenty-Five Thousand Dollars and Zero Cents (\$225,000.00) payable to Serrina Jackson and The Fitch Law Firm, LLC, upon receipt of an invoice and a release approved by the City Attorney.

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 from and after its passage and approval by the

Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.