



Legislation Text

File #: 2892-2019, **Version:** 1

Background:

This Ordinance is submitted to settle the lawsuit captioned *Stephanie Clifford v. Shana M. Keckley, et al.*, United States District Court Case No. 2:19-cv-00119, in the amount of Four Hundred Fifty Thousand Dollars (\$450,000.00). On July 11, 2018, Ms. Clifford, better known as Stormy Daniels, was arrested at Sirens Gentlemen's Club by members of the Columbus Division of Police and charged with three counts of violating O.R.C. 2907.40(C)(2) Illegal Sexually Oriented Activity in a Sexually Oriented Business. The involved officers were Shana Keckley, Whitney Lancaster, Mary Praither, and Steven Rosser. Ms. Clifford was handcuffed, transported from the scene of the arrest, and slated at the Franklin County Jail following identification processing at CPD headquarters. She was released from custody on July 12, 2018 and her charges were dismissed that same day. Ms. Clifford's lawsuit names the City of Columbus, CPD Commander Terry Moore, and Officers Keckley, Lancaster, Praither, and Rosser as defendants. Ms. Clifford alleges, among other things, that: (a) she was arrested and charged without probable cause in violation of her Fourth and Fourteenth Amendment rights; (b) the policy and practice of the City of Columbus was the moving force behind her arrest; and (c) she suffered injuries and damages.

Fiscal Impact:

Funds were not specifically budgeted for this settlement; however, sufficient appropriation is available within Police's general fund budget for this purpose.

To authorize the City Attorney to settle the lawsuit captioned *Stephanie Clifford v. Shana M. Keckley, et al.*, pending in the United States District Court for the Southern District of Ohio; to authorize the expenditure of the sum of \$450,000.00 in settlement of the lawsuit; and to declare an emergency.

WHEREAS, Stephanie Clifford alleges that the City of Columbus, Columbus Police Commander Terry Moore, and Columbus Police Officers Shana Keckley, Whitney Lancaster, Mary Praither, and Steven Rosser violated her constitutional rights on July 11, 2018 by arresting her and charging her without probable cause in violation of her Fourth and Fourteenth Amendment rights; and

WHEREAS, following the evaluation of the incident, a settlement in the amount of Four Hundred Fifty Thousand Dollars (\$450,000.00), to be paid by the City, was deemed to be acceptable in exchange for a release from Stephanie Clifford of any claims against the City of Columbus and any of its employees, agents, officials, including Columbus Police Commander Terry Moore, and Columbus Police Officers Shana Keckley, Whitney Lancaster, Mary Praither, and Steven Rosser; 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, 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 to settle all claims against the City of Columbus, its officers, agents, and employees, including Columbus Police Commander Terry Moore, and Columbus Police Officers Shana Keckley, Whitney Lancaster, Mary Praither, and Steven Rosser, by payment of the sum of Four Hundred Fifty Thousand Dollars (\$450,000.00) as a reasonable and fair amount and in the best interest of the City of Columbus.

SECTION 2. That the expenditure of \$450,000.00, or so much thereof as may be needed, is hereby authorized as follows in the General Fund object class 05 Claims per the accounting codes in the attachment to this ordinance:

SECTION 3. That, upon receipt of a voucher 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 Fifty Thousand Dollars (\$450,000.00) made payable to Stephanie Clifford and Brewster & De Angelis, PLLC.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part thereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or 10 days after passage if the Mayor neither vetoes nor approves the same.