



**Request for City Council Committee Action  
From the City Attorney's Office**

Date: October 12, 2004  
To: Ways & Means/Budget Committee  
Referral to:

Subject: Todd R. Edwardson v. City of Minneapolis, et al.  
United States District Court File No.: 02-4930 RHK/JSM

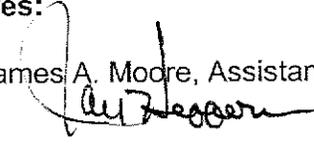
**Recommendation:** That the City Council approve a negotiated settlement in the amount of \$8,500.00 payable to Todd R. Edwardson and his attorneys Saliterman & Siefferman from Fund/Org. 6900 150 1500 4000 and that the City Council authorize the City Attorney's Office to execute any documents necessary to effectuate the settlement.

**Previous Directives:**

Prepared by: James A. Modre, Assistant City Attorney

Phone: 673-2063

Approved by:

  
Jay M. Heffern  
City Attorney

Presenter in Committee: Jay M. Heffern, City Attorney

**Financial Impact** (Check those that apply)

- No financial impact - or - Action is within current department budget.  
(If checked, go directly to Background/Supporting Information)
- Action requires an appropriation increase to the Capital Budget
- Action requires an appropriation increase to the Operating Budget
- Action provides increased revenue for appropriation increase
- Action requires use of contingency or reserves
- Other financial impact (Explain): Fund/Org. 6900 150 1500 4000
- Request provided to the Budget Office when provided to the Committee Coordinator

**Community Impact:**

City Goals: Build Community

**Background/Supporting Information**

On December 6, 2001, Plaintiff, Todd Edwardson, went to a bus stop at the corner of Hennepin Avenue and 6<sup>th</sup> Street looking to catch a bus to Eagan. Mr. Edwardson had stayed downtown after work and gone out with friends for a few beers. Two other individuals were also at the bus stop. Minneapolis Police Officers Matthew Kaminski and Grant Johnson were patrolling in the area. They observed the individuals in the bus shelter and were concerned that the individuals were loitering for purposes of conducting drug deals in the

bus shelter. The officers recognized one of the other individuals as a repeat offender. The officers approached the bus shelter and questioned why people were there. The officers observed one of the other individuals drop a bottle that contained alcohol. The officers arrested the individual for public consumption. The Plaintiff, Mr. Edwardson, objected that the other individuals, whom he did not know, had done nothing wrong and that the arrest appeared to be racially motivated. Plaintiff was instructed to stay out of the altercation. Mr. Edwardson claims that he stood back, but then came forward to check the badge number of the officer. Mr. Edwardson was arrested for obstructing legal process. He was transported to the Hennepin County Adult Detention Center where he got into a scuffle with a jailer and injured his wrist. He spent the night in jail. The criminal case against Mr. Edwardson was dismissed because there was insufficient evidence to support the charge of obstructing legal process.

Mr. Edwardson sued the City alleging false arrest and blaming his injury on the fact of his arrest. The issue in the case is whether the officers had probable cause to make the arrest of Mr. Edwardson since he did not physically interfere with their arrest process.

The City Attorney's Office has been able to negotiate a settlement of the case in the amount of \$8,500.00. The City Attorney recommends settlement in this amount.