



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

Date: April 07, 2010
To: Ways & Means/Budget Committee
Referral to:

Subject: Latora Powers vs. City of Minneapolis
United States District Court File No.: 09-2603 (DWF/JSM)

Recommendation: That the City Council approve the settlement of this case by payment of \$10,000.00 payable to Latora Powers and her attorney, Timothy O'Brien, from Fund/Org. 06900 1500100 145400 and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

Previous Directives:

Prepared by: James A. Moore Phone: (612) 673-2063

Approved by: 
Susan L. Segal
City Attorney

Presenter in Committee: Susan L. Segal, City Attorney

Financial Impact (Check those that apply)

- No financial impact (If checked, go directly to Background/Supporting Information).
 Action requires an appropriation increase to the ____ Capital Budget or ____ Operating Budget.
 Action provides increased revenue for appropriation increase.
 Action requires use of contingency or reserves.
 Business Plan: ____ Action is within the plan. ____ Action requires a change to plan.
 Other financial impact (Explain): \$10,000.00 from Fund/Org 06900 1500100 145400
 Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact

City Goal(s): A safe place to call home

Background/Supporting Information

On September 11, 2007, officers of the Minneapolis Downtown Foot Patrol stopped a pedestrian who had crossed the street against a "don't walk" signal. As they were talking to the individual, the Plaintiff confronted the officers and accused them of harassing her friend. She was ordered to leave, but continued to direct profanity at the officers. The officers advised her that she was under arrest for obstructing legal process. Because the Plaintiff didn't have proper identification, the officers ordered her to walk with them to the precinct so that they could use the computer to identify the Plaintiff. Because the Plaintiff continued to be irate, she was placed in handcuffs. Later, as they continued to walk toward the precinct, the officers believed that she was about to spit on them they pushed her face first against a building where a brief struggle ensued during which the officers maced Plaintiff. Plaintiff suffered abrasions to her face and blurred vision as a result of the application of mace. Plaintiff also claims post traumatic stress disorder from the incident.

The matter was considered at a settlement conference in front of Magistrate Judge Janie Mayeron on April 1, 2010. The parties were able to reach a settlement in the amount of \$10,000.00. Jim Moore of the City Attorney's Office, Council Member Glidden and Deputy Chief Rob Allen on behalf of Police Administration all agreed to recommend the settlement to the City Council.