



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

Date: October 04, 2006  
To: Ways & Means/Budget Committee  
Referral to:

**Subject:** Joseph Omar White v. City of Minneapolis  
United States District Court File No.: 04-4473 JNE/JJG

**Recommendation:** That the City Council approve the settlement of the lawsuit of Joseph Omar White v. City of Minneapolis, et al. in the amount of \$7,500.00 payable to Joseph Omar White and his attorney, Albert Goins, from Fund/Org. 6900 150 1500 4000 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: Jay M. Heffern  
p(A), Jay M. Heffern  
City Attorney

Presenter in Committee: Jay M. Heffern, 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.

X Other financial impact (Explain): Fund/Org. 6900 150 1500 4000  
Request provided to department's finance contact when provided to the Committee Coordinator.

**Community Impact**  
City Goal(s): Build Community

**Background/Supporting Information**

On October 13, 2003, Plaintiff Joseph Omar White was a guest at an apartment at 2519 3<sup>rd</sup> Street North at about 1:30 in the afternoon. At that time, Minneapolis police officers served a narcotics search warrant at the address. The officers used a dynamic entry and ordered people to the floor. The officers also "poke checked" individuals with their guns in ordering them to the floor. Plaintiff claims that after he was on the floor he was kicked and stomped and struck with a metal object that was cold and hard. The police officers deny any use of force after the individuals were on the floor. Plaintiff sued alleging an injury to his back. Shortly after the incident he went to the hospital complaining of back pain and was diagnosed with a crack in one of the bones in his back. Plaintiff complains of on-going pain in his back, headaches and psychological problems as a result of the incident. We have been able to settle this matter for \$7,500.00. The City Attorney's Office recommends settlement in the amount of \$7,500.00. The Police Department has been consulted on this case and has consented to the settlement.