



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

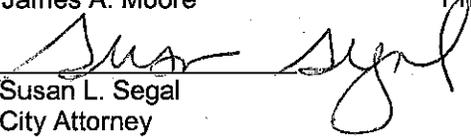
Date: November 03, 2010
To: Ways & Means/Budget Committee
Referral to:

Subject: *Terry Williams vs. City of Minneapolis*
Minneapolis Commission on Civil Rights File No.: A6152-PS-1A

Recommendation: That the City Council authorize settlement of the case of *Reverend Terry Williams v. MPD*, Minneapolis Commission on Civil Rights File No.: A6152-PS-1A in the amount of \$3,000.00 payable to Reverend Terry Williams and his attorneys, Walker Law Office. It is further recommended that Deputy Chief Gerlicher make himself available for a conference with Complainant and that the City Attorney's Office be authorized to execute any documents necessary to effectuate the 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): \$3,000 payable from Fund/Org. 06900-1400300-145400
- Request provided to department's finance contact when provided to the Committee Coordinator.

Background/Supporting Information

Complainant Reverend Terry Williams filed a Charge of Discrimination with the Minneapolis Department of Civil Rights based on his detention by a Minneapolis Park Police Officer on July 20, 2006. The Park Police Officer was assisted by three Minneapolis Police Officers. The Complainant alleged that he was racially profiled and subjected to racially insensitive comments by the police officers during the course of his detention. The Minneapolis Civil Rights Department made finding of probable cause against both the Minneapolis Park Police and the Minneapolis Police Department. The case was referred to the Commission on Civil Rights for hearing. On behalf of the Minneapolis Police Department, the City Attorney's Office moved to dismiss the charge on the grounds that the Minneapolis officers who responded to assist were entitled to official immunity. The Commission denied the motion. The City Attorney's Office pursued appeal to the Minnesota Court of Appeals which affirmed the Commission's denial of immunity.

After the Court of Appeals ruling, the matter was returned to the Civil Rights Commission for a hearing. The Commission referred the matter to voluntary mediation. At mediation the parties were able to come to a resolution of the case, contingent on the City Council approval. The City agreed to pay Reverend Williams \$3,000.00 as and for any and all claims that he may have in the case, including claims for attorney's fees and also agreed to make Deputy Chief Scott Gerlicher available to talk to Complainant. The Park Board has agreed to pay \$15,000.00 and to make their Chief

available to talk to Complainant as well. The Police Department supports the recommendation that this case be settled on these terms.