

CLOSED SESSION REPORTING OUT FORM

Date of Meeting: *Tuesday, October 5, 2004 at 6:00 p.m.*

The Council made a final decision in Closed Session on one item of Pending Litigation:

NAME OF CASE: Joseph Parker, et al. v. City of Oakland

This matter is listed on the agenda under Item 2(b)

The City Council authorized settlement in the amount of **\$324,000. The City's insurance carriers will pay \$300,000 and the City will pay \$24,000.**

Facts of the Case:

This case stems from incidents that occurred in 1996. The seven plaintiffs contend that Oakland police officers violated their civil rights by falsely arresting them and subjecting them to excessive force and that they were prosecuted and incarcerated based on testimony and evidence presented by one or more of the four police officers who subsequently were terminated by the City. After the City terminated the four officers, the District Attorney indicted them on multiple criminal counts, including but not limited to, perjury, fabrication of evidence and assault and battery. The District Attorney dismissed and overturned criminal convictions of the plaintiffs whose convictions were based on testimony of the officers.

Motion Made by: Councilmember Reid

Motion Seconded by: Councilmember Nadel

8 Ayes: Brooks Brunner Chang Nadel Quan Reid Wan President De La Fuente =

Noes: Brooks Brunner Chang Nadel Quan Reid Wan_ President De La Fuente =

Absent: Brooks Brunner Chang Nadel Quan Reid Wan President De La Fuente =

Abstentions: Brooks Brunner Chang Nadel Quan Reid Wan President De La Fuente =

CLOSED SESSION REPORTING OUT FORM

Date of Meeting: *Tuesday, October 5, 2004 at 6:00 p.m.*

The Council made a final decision in Closed Session on one item of Anticipated Litigation:

NAME OF CASE: Cramer v. City of Oakland

This matter is listed on the agenda under Item 2(c)

The City Council authorized settlement in the amount of **\$20,000.**

Facts of the Case:

Plaintiff contends that he was arrested on September 13, 2001, based on false and/or misleading information that Oakland Police Department investigators submitted to the judge who issued a warrant for plaintiff's arrest. The affidavits that Oakland Police Department submitted to the judge erroneously stated that plaintiff had the knowledge and materials to produce explosive devices and that he had made threats to harm people.

Plaintiff sustained head and leg contusions when he was tackled to the ground near the carport area of his apartment building and he also asserted that he suffered psychological trauma as a result of the arrest. His medical expenses totaled \$18,000.

Motion Made by: Councilmember Nadel

Motion Seconded by: Councilmember Reid

8 Ayes: Brooks Brunner Chang Nadel Quan Reid Wan President De La Fuente =

Noes: Brooks Brunner Chang Nadel Quan Reid Wan_ President De La Fuente =

Absent: Brooks Brunner Chang Nadel Quan Reid Wan President De La Fuente =

Abstentions: Brooks Brunner Chang Nadel Quan Reid Wan President De La Fuente =

CLOSED SESSION REPORTING OUT FORM

Date of Meeting: *Tuesday, October 5, 2004 at 6:00 p.m.*

The Council made a final decision in Closed Session on one item of Anticipated Litigation:

NAME OF CASE: Troy Barnes v. City of Oakland

This matter is listed on the agenda under Item 2(e)

The Council authorized settlement in the amount of \$15,000.

Facts of the case:

This case arose out of incidents that occurred in 1998. Plaintiff asserts that Oakland police officers used excessive force during the course of arresting him, after he fled in his car from an Oakland bank that he robbed. One officer kicked Barnes in the groin as four officers tried to handcuff him and fifteen officers stood by.

Motion Made by: Councilmember Reid

Motion Seconded by: Councilmember Brunner

7 Ayes: Brooks Brunner Chang Nadel Quan Reid Wan President De La Fuente =

Noes: Brooks Brunner Chang Nadel Quan Reid Wan_ President De La Fuente =

Absent: Brooks Brunner Chang Nadel Quan Reid Wan President De La Fuente =

1 Abstentions: Brooks Brunner Chang Nadel Quan Reid Wan President De La Fuente =