

FILED
OFFICE OF THE CITY CLERK
OAKLAND

17 MAY 24 PM 4:06

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
Barbara J. Parker
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TDD: (510) 839-6451

May 30, 2017

HONORABLE CITY COUNCIL
Oakland, California

Subject: Claim of Jasmine Abuslin
City Attorney File No. C31433
(OPD – Civil Rights)

Dear President Larry Reid and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled claim for the sum of Nine Hundred Eighty-Nine Thousand Dollars and No Cents (\$989,000.00), payable to The Law Offices of John Burris in Trust for Claimant Jasmine Abuslin.

On September 16, 2016, Claimant's attorneys, Pamela Y. Price and the Law Offices of Charles A. Bonner, filed a claim for \$66 million in special and economic damages against the Respondents, City of Oakland, the Oakland Police Department ("OPD"), and a number of current and former OPD police officers. Claimant also sought punitive damages, attorneys' fees and costs, and unspecified general damages. Sometime after the filing of the claim, Attorney Pamela Y. Price terminated her representation of Claimant and Attorney John Burris joined the Law Office of Charles A. Bonner in representing Claimant.

Claimant alleges that she was exploited by Respondent Oakland police officers who "continued to traffic, rape, victimize and exploit" her. Claimant further alleges that Respondent OPD failed to properly supervise its officers, failed to provide adequate training on identifying victims of sexual exploitation and abuse, allowed improper access to criminal data bases and failed to put in place adequate policy training on social media use. Claimant asserted that the foregoing alleged acts "constitute unlawful forced labor, trafficking into servitude and sex trafficking of a child by force, fraud and coercion" in violation of her constitutional, federal and state rights, and have caused Claimant to suffer "unimaginable abuse, pain and suffering that she and her family will endure for the rest of her life."

HONORABLE CITY COUNCIL

May 30, 2017

Subject: Claim of Jasmine Abuslin

Page 2

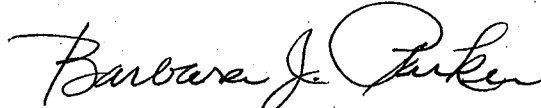
The City investigated Claimant's allegations and publicly announced its intention to terminate several officers, suspend some officers and order counseling and training of one officer.

The Alameda County District Attorney has filed criminal charges against a number of current and former Oakland police officers, including felony oral copulation with a minor, obstruction of justice, engaging in an act of prostitution and failing to report sexual misconduct of a minor.

Under the settlement agreement, the City of Oakland denies the allegations of the claim and finds and determines that settlement in the specified amount is in the best interests of the City.

The Council authorized settlement of this case in Closed Session on Tuesday, May 16, 2017 (moved by Councilmember Kaplan and seconded by Councilmember Kalb - 7 Ayes, 1 No (Councilmember Brooks)).

Respectfully submitted,



BARBARA J. PARKER
City Attorney

Attorney Assigned:
Colin Bowen

2148509v2


Oakland City Attorney's Office

FILED
OFFICE OF THE CITY CLERK
OAKLAND

17 MAY 24 PM 4:07

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF JASMINE ABUSLIN, IN THE AMOUNT OF NINE HUNDRED, EIGHTY-NINE THOUSAND DOLLARS AND NO CENTS (\$989,000.00), ALLEGING THAT OAKLAND POLICE OFFICERS EXPLOITED AND VICTIMIZED CLAIMANT IN VIOLATION OF HER CONSTITUTIONAL, FEDERAL AND STATE RIGHTS (OAKLAND POLICE DEPARTMENT - CIVIL RIGHTS)

WHEREAS, on September 16, 2016 Claimant Jasmine Abuslin's attorneys, Pamela Y. Price and the Law Offices of Charles A. Bonner, filed a claim for \$66 million in special and economic damages against the Respondents, City of Oakland, the Oakland Police Department ("OPD"), and various current and former police officers; and

WHEREAS, Claimant Abuslin also sought punitive damages, attorneys' fees and costs, and unspecified general damages; and

WHEREAS, sometime after the filing of the claim, Attorney Pamela Y. Price terminated her representation of Claimant and Attorney John Burris joined the Law Offices of Charles A. Bonner in representing Claimant; and

WHEREAS, Claimant alleges: that she was exploited by multiple Oakland police officers who "continued to traffic, rape, victimize and exploit" her; and that OPD failed to properly supervise its officers, failed to provide adequate training on identifying victims of sexual exploitation and abuse, allowed improper access to criminal data bases and failed to put in place adequate policy training on social media use; and

WHEREAS, Claimant asserts that the foregoing alleged acts "constitute unlawful forced labor, trafficking into servitude and sex trafficking of a child by force, fraud and coercion" in violation of her constitutional, federal and state rights, and have caused Claimant to suffer "unimaginable abuse, pain and suffering that she and her family will endure for the rest of her life"; and

WHEREAS, Claimant alleges that she suffered injury as a result of the aforementioned alleged conduct, and is seeking payment of damages for said injury; and

WHEREAS, the City has investigated the allegations and publicly announced its intention to terminate several officers, suspend some officers and order counseling and training of one officer; and

WHEREAS, the Alameda County District Attorney has filed criminal charges against a number of current and former Oakland police officers, including felony oral copulation with a minor, obstruction of justice, engaging in an act of prostitution and failing to report sexual misconduct of a minor; and

WHEREAS, the settlement agreement provides that the City denies the allegations of the claim, and asserts that it has defenses to the Claimant's claims; and the City of Oakland has determined that settlement in the above-specified amount, is in the best interests of the City; now therefore, be it

RESOLVED: That the City Attorney is authorized and directed to settle the claim of Jasmine Abuslin, in the amount of Nine Hundred, Eighty-Nine Thousand Dollars and No Cents, (\$989,000.00); and be it

FURTHER RESOLVED: That the City Attorney further is authorized and directed to take whatever steps may be necessary to effect said settlement.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, GIBSON
MCELHANEY AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California