

2020 JAN 23 PM 3:32

  
City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. 88011<sup>A</sup> C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF T.D.P., A MINOR THROUGH HER MOTHER AND NEXT FRIEND, ANDREA DUPREE, FOR RICHARD PERKINS V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. 3:16-CV-04324-LB, CITY ATTORNEY FILE NO. 31147, IN THE AMOUNT OF TWO HUNDRED FIFTY THOUSAND DOLLARS AND NO CENTS (\$250,000.00) (OAKLAND POLICE DEPARTMENT – EXCESSIVE FORCE/WRONGFUL DEATH)**

**WHEREAS**, Plaintiffs allege that Oakland Police Department Officers violated their constitutional rights during an officer-involved shooting on November 15, 2015 in which Plaintiffs' family member, Richard Perkins passed away; and

**WHEREAS**, Plaintiffs allege that Oakland Police officers used excessive force when they used lethal force against Mr. Perkins as he approached the officers with a Desert Eagle replica firearm that was not marked in any way as a replica; and

**WHEREAS**, United States District Court Case Nos. CV-16-4132-LB and CV-16-4324-LB were filed against the City of Oakland and the Oakland Police Department alleging constitutional violations; and

**WHEREAS**, the City has considered all the evidence, litigation costs, and litigation risks in this case; and

**WHEREAS**, the City admits no wrongdoing or liability; now, therefore be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the Case Nos. CV-16-4132-LB and CV-16-4324-LB, for the combined sum of Two Hundred and Fifty Thousand Dollars and No Cents (\$250,000.00); and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA,

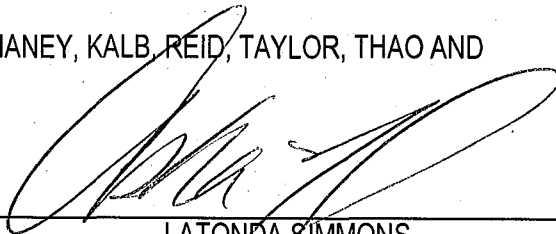
**FEB 04 2020**

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, ~~WILLIAMS~~, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN — 7

NOES - 0  
ABSENT - 1 *Gallo*  
ABSTENTION - 0

ATTEST:

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