

GRANT F. LANGLEY
City Attorney

MIRIAM R. HORWITZ
ADAM B. STEPHENS
MARY L. SCHANNING
JAN A. SMOKOWICZ
Deputy City Attorneys

CITY OF
MILWAUKEE
Office of the City Attorney

Milwaukee City Hall Suite 800 200 East Wells Street Milwaukee, Wisconsin 53202-3551
Telephone: 414.286.2601 TDD: 414.286.2025 Fax: 414.286.8550

SUSAN E. LAPPEN
PATRICIA A. FRICKER
HEIDI WICK SPOERL
GREGG C. HAGOPIAN
JAY A. UNORA
KATHRYN Z. BLOCK
KEVIN P. SULLIVAN
THOMAS D. MILLER
ROBIN A. PEDERSON
JEREMY R. MCKENZIE
PETER J. BLOCK
JENNY YUAN
ALLISON N. FLANAGAN
HEATHER H. HOUGH
ANDREA J. FOWLER
PATRICK J. MCCLAIN
NAOMI E. GEHLING
BENJAMIN J. ROOVERS
ELLENY B. CHRISTOPOULOS
TYRONE M. ST. JUNIOR
HANNAH R. JAHN
JULIE P. WILSON
GREGORY P. KRUSE
KIMBERLY A. PRESCOTT
SHEILA THOBANI
KATRYNA C. RHODES
NICOLE F. LARSEN
JAMES M. CARROLL
WILLIAM G. DAVIDSON
MEIGHAN M. ANGER
ALEXANDER R. CARSON
JENNIFER J. TATE
Assistant City Attorneys

March 31, 2020

To the Honorable Common Council
of the City of Milwaukee
Room 205 – City Hall

Re: Proposed Settlement of claims against the City of Milwaukee and police officers
in the lawsuit, *Jimmy Harris v. City of Milwaukee, et al.*, Case No. 14-CV-1002-
LA

Dear Council Members:

Enclosed please find a proposed substitute resolution. We ask that it be introduced and referred to the Committee on Judiciary and Legislation with the below recommendation. A companion substitute resolution to authorize contingent borrowing to fund the proposed settlement will be filed separately and should be referred to the Finance and Personnel Committee.

In the early evening hours of November 19, 2010, one of the defendant police officers stopped Jimmy Harris on East North Avenue, several blocks west of St. Mary's Hospital, to check on the registration of the vehicle being operated by Mr. Harris. Harris had recently undergone shoulder surgery and he informed the officer who detained him of this. The officer and Mr. Harris ended up in a continuing exchange after Mr. Harris exited his vehicle upon the officer's offer to view the information on the squad computer. Ultimately, the officer decided to arrest Mr. Harris for obstruction and there was a struggle as the officer tried to handcuff Mr. Harris. The detaining officer called for backup and two responding officers were finally able to ensure that Mr. Harris was handcuffed.

At some point in the course of this incident, Mr. Harris suffered a serious injury to a nerve in his shoulder. In the March jury trial of this matter, the jury determined that the detaining officer wrongly detained Mr. Harris, unlawfully searched the vehicle, and employed excessive force that caused



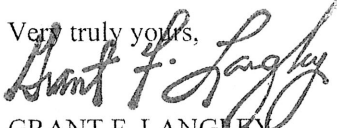
To the Honorable Common Council
of the City of Milwaukee
March 31, 2020
Page 2


the injury to Harris' shoulder. They also found that the responding sergeant failed to intervene to end the unlawful detention and that the city failed in its training about certain types of vehicle stops.

The jury in its verdict awarded a total of \$1,675,188 in damages. Harris' counsel has agreed to a settlement of his attorneys' fees and costs in the amount of \$270,103.77. The total of these two amounts is \$1,945,291.77.

Because settlement in this matter is deemed expeditious, we request authorization to execute a settlement agreement on behalf of the city and its officers, and have enclosed an appropriate resolution for your convenience.

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Deputy City Attorney

Enclosure

JAS
1032-2014-2034.001