

LRB-FISCAL REVIEW SECTION ANALYSIS

JUDICIARY & LEGISLATION COMMITTEE

ITEM 2, FILE 010885

NOVEMBER 19, 2001

MARK A. RAMION

File # 010885 is a resolution to settle the claim of Attorney Kenneth Murray, Kenneth Murray Law Office, for the defense of various police officers.

Background

1. The Damages and Claims Fund Account is used to cover the cost of judgments against the city for the following:
 - Liability and claims incurred in the provision of general services.
 - Miscellaneous damages and claims.
 - Vehicular-related claims.

The Damages and Claims Special Purpose Account is the funding source for costs relating to the defense of and payment of judgments involving police officers and provides for payment of an officer's legal defense after exoneration in an internal affairs investigation.

2. In 2001, there has been a significant rise in the number of investigations and their resulting legal fees for police officers' legal defense after the officer has been exonerated. Common Council files indicate that through October 15, 2001, \$237,285 has been paid for these expenses.
3. Payment of these fees occur upon conclusion of the investigation and legal process for incidents involving sworn staff, some incidents having taken place several years prior.
4. In July 2001, the Damages and Claims SPA was supplemented with \$500,000 from the Common Council Contingent Fund. The 2001 Damages and Claims Fund was initially budgeted at \$1.5 million.

Discussion

This file will authorize the expenditure of \$5,792.83 by the City Attorney for the purpose of paying Attorney Kenneth Murray for the defense of various police officers

Fiscal Impact

1. The total funding for this resolution is \$5,792.83 to be appropriated from the Damages and Claims Fund.

2. As of November 15, 2001, the Damages and Claims Fund had a balance of \$156,346.
3. If this appropriation is approved, the Damages and Claims Fund will have a 2001 balance of \$150,553.

Further Information

The 2002 adopted budget provides for the creation of a new Special Purpose Account under the authority of the City Attorney entitled *Fire and Police Discipline and Complaint Account*. This provision designates a singular fund for the payment of the legal defense of police and fire personnel who are cleared of wrongdoing.

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LRB-Fiscal Review Section
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