



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2020-646, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Latoya Ford against the Metropolitan Government of Nashville and Davidson County in the amount of \$53,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on June 18, 2019, Latoya Ford was involved in an automobile collision at the intersection of Murfreesboro Pike and Briley Parkway in Davidson County causing Ms. Ford personal injury. Ms. Ford's vehicle collided with a vehicle owned by the Metropolitan Government and operated by one of its employees while in the course and scope of their employment; and,

WHEREAS, after investigation, the Metropolitan Department of Law believes that the settlement listed in Section 1 is fair and reasonable and in the best interest of the Metropolitan Government and recommends that any and all claims or causes of action brought or that could have been brought by Latoya Ford related to the events detailed above, be compromised and settled for \$53,000.00, and that this amount be paid from the Self-Insured Liability Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: The Metropolitan Department of Law is authorized to compromise and settle the personal injury claim of Latoya Ford for the sum of \$53,000.00 with said amount to be paid from the Self-Insured Liability Fund.

Section 2: This resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This resolution authorizes the Department of Law to settle the personal injury claim of Latoya Ford against the Metropolitan Government for the amount of \$53,000 to be paid from the self-insured liability fund. On June 18, 2019, a Metro police officer was teaching at the training academy when he received a SWAT callout. While in route to the SWAT facility located on Murfreesboro Pike in an unmarked police car, the officer struck Ms. Ford's vehicle after exiting Briley Parkway onto Murfreesboro Pike. The officer unsuccessfully attempted to turn left at a red light. Although his lights were activated, he didn't have blue lights on the top of the police car and Ms. Ford, who was proceeding on a green light, could not see the police vehicle in time to avoid the collision.

Ms. Ford was treated for a chest wall contusion and leg contusion at the time of the accident. She sought follow up treatment a week later for pain and difficulty sleeping. She was diagnosed with cervicalgia and prescribed physical therapy. She also sought treatment on two subsequent occasions in October and 2019 and January 2020. Ms. Ford's medical bills total \$37,266,25.

The Department of Law recommends settling this claim for the amount of the medical bills plus \$15,733.75 for pain and suffering since a court would likely find the police officer to be mostly at fault. The police department brought disciplinary charges against the officer for negligent operation of a vehicle and violation of departmental policy. He received disciplinary action consisting of a written reprimand and was required to take a remedial driving course.

Fiscal Note: This \$53,000 settlement, along with the settlements per Resolution No. RS2020-645 and Resolution No. RS2020-647, would be the 17th, 18th, and 19th payments from the Self-Insured Liability Fund in FY21 for a cumulative total of \$1,195,369. The fund balance would be \$1,902,060 after these payments.