



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2022-1669, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Jenna Chism against the Metropolitan Government of Nashville and Davidson County in the amount of \$55,000.00 with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on November 24, 2021, a Metropolitan Nashville Police Department officer entered the intersection of Church Street and George L. Davis Boulevard with emergency equipment activated, did not come to a full stop at the red light, and was struck on the passenger side by a northbound vehicle driven by Jenna Chism as she entered the intersection, causing injury to Ms. Chism; 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 the personal injury claim of Jenna Chism be compromised and settled for \$55,000.00, 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 Jenna Chism for the sum of \$55,000.00 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

On November 24, 2021, a Metropolitan Nashville Police Department officer was traveling East on Church Street with activated emergency lights and siren in response to a call. While approaching the intersection of Church Street and George L. Davis Boulevard, the officer slowed down because the traffic signal was red but did not come to a complete stop. Ms. Jenna Chism was traveling North on George L. Davis Boulevard with a green traffic signal as she approached the intersection. Ms. Chism struck the MNPDP vehicle on the passenger side. She stated that she did not see or hear the lights or sirens of the MNPDP vehicle. Ms. Chism's vehicle was damaged and \$11,325.22 was previously paid for repairs to the vehicle.

Ms. Chism sought treatment for pain in her back, face, and right leg. She received treatment to relieve and decrease muscle spasms and back pain.

The Department of Law recommends settlement of this claim for \$55,000, which includes \$43,359 in medical expenses, \$840 to cover the costs of the loss of use of her personal vehicle, and \$10,801 in pain and suffering.

The disciplinary action against the MNPDP employee consisted of a written reprimand.

Fiscal Note: This \$55,000 settlement, along with the settlement per Resolution Nos. RS2022-1671, RS2022-1672 and RS2022-1681 would be the 1st, 2nd, 3rd, and 4th payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$102,859. The fund balance would be \$11,297,794 after these payments.