

Analysis

This resolution settles the personal injury claim of April McQueen against the Metropolitan Government for the amount of \$80,000 to be paid from the self-insured liability fund. On October 4, 2017, Ms. McQueen was a staff nurse in the medical clinic at the Davidson County Sheriff's Office (DCSO) Hill Detention Center. An inmate who was being detained on misdemeanor and felony assault charges was able to leave his inmate pod which was mistakenly opened by a correctional officer. The inmate was able to walk into the medical unit where Ms. McQueen worked, passing multiple security cameras and through multiple doors which should have been secured. The inmate asked Ms. McQueen for pain medication. She refused and asked who had escorted the inmate to the medical clinic. The inmate attacked Ms. McQueen, punching her, knocking her to the ground, and choking her. Correctional officers were able to subdue the inmate.

Ms. McQueen incurred medical bills totaling \$16,368 for injuries related to this incident. She was diagnosed with a facial contusion under her left eye and jaw pain. She later returned for treatment and was diagnosed with a headache, closed head injury, dizziness and facial contusion and was referred to a neurologist. She was diagnosed with post concussive syndrome. She also required chiropractic adjustment and multiple treatment sessions. She was treated for psychological stress as a result of the assault and was diagnosed with post-traumatic stress disorder.

The Court will likely find that DCSO officers were at fault for failing to maintain proper control of the inmate. The Department of Law recommends settlement of these claims for \$80,000. A court would likely award more than the proposed settlement amount if the case went to trial.

There was no disciplinary action for DCSO employees involved.

Fiscal Note: This \$80,000 settlement, along with the settlement per Resolution No. RS2021-726, would be the 22nd and 23rd payments from the Self-Insured Liability Fund in FY21 for a cumulative total of \$1,495,369. The fund balance would be \$1,590,476 after these payments.