



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2025-1115, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the claims of Jennifer Parker against the Metropolitan Government of Nashville and Davidson County in the amount of \$175,000.00, with said amount to be paid out of the Judgments and Losses Fund.

WHEREAS, Jennifer Parker filed a lawsuit against the Metropolitan Government alleging malicious prosecution in violation of the Fourth Amendment arising out of her prosecution and incarceration on charges of arson and child endangerment; and,

WHEREAS, after investigation, the Metropolitan Department of Law believes that the settlement terms listed in Section 1 are 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 Jennifer Parker related to her prosecution and incarceration on charges of arson and child endangerment be compromised and settled for \$175,000.00 and that this amount be paid from the Judgments and Losses 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 claims of Jennifer Parker for the sum of \$175,000.00 with said amount to be paid from the Judgments and Losses 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 January 27, 2018, a Nashville Fire Department (“NFD”) investigator responded to a fire at the home of Jennifer Parker. Ms. Parker was at home with her granddaughter at the time. Ms. Parker was interviewed at this time about a fire that had occurred days before that resulted in the death of Ms. Parker’s daughter. Ms. Parker claimed that her daughter had intentionally set herself on fire. The NFD investigator felt that Ms. Parker’s description of the fire and her daughter’s actions did not match the evidence at the scene. The investigator concluded that the fire was intentionally set and Ms. Parker’s daughter was deceased before the fire was set. The investigator further concluded that Ms. Parker set the fire.

The NFD investigator worked closely with an assistant district attorney who specializes in arson cases. The assistant district attorney set the case before a grand jury and the grand jury returned an indictment for Ms. Parker. Ms. Parker was arrested in October 2021. The case against Ms. Parker was voluntarily dismissed on December 7, 2022. Ms. Parker has brought suit against the NFD investigator and assistant district attorney for malicious prosecution.

The parties have participated in settlement negotiations and have agreed upon the settlement amount of \$175,000, subject to approval from the Metropolitan Council. Though the Department of Law asserts a strong defense to liability, it recommends settlement of this claim to mitigate the cost and risk of an adverse result at trial. Regardless of the outcome of a trial, the Metropolitan Government would be responsible for outside

counsel to represent the NFD investigator involved. The Metropolitan Government also would be responsible for attorneys' fees for Ms. Parker if she were to prevail at trial. It is estimated that the combined attorneys' fees could exceed \$600,000. The Department of Law recommends settlement of Ms. Parker's claims against the Metropolitan Government for \$175,000.

Fiscal Note: The total settlement amount is \$175,000. This settlement along with Resolution Nos. RS2025-1110 and RS2025-1127 would be the 6th, 7th, and 8th payments, after approval by Metropolitan Council, from the Judgment and Losses Fund in FY25 for a cumulative total of \$1,925,427. The fund balance would be \$16,480,454 after these payments.