

## Request for Board Action Details

<b>File #:</b>	2022-438	<b>Status:</b>	Passed
<b>Type:</b>	Administrative Item	<b>In control:</b>	Board of Commissioners
<b>On agenda:</b>	8/9/2022	<b>Final action:</b>	8/9/2022
<b>Title:</b>	Settlement Agreements in Sullivan v. Ramsey County (Court File No. 62-CV-21-651)		
<b>Sponsors:</b>	Board of Commissioners		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Devin Sullivan - Settlement Agreement, 2. Mohamud Salad - Settlement Agreement, 3. Timothy Ivory - Settlement Agreement, 4. Anabel Herrera - Settlement Agreement, 5. Stanley Hafoka - Settlement Agreement, 6. Nathaniel Gomez-Haustein - Settlement Agreement, 7. Cedric Dodds - Settlement Agreement, 8. Chelsea Cox - Settlement Agreement, 9. Resolution		

Date	Ver.	Action By	Action	Result
8/9/2022	1	Board of Commissioners	approved	Pass

**Sponsor:** Board of Commissioners

**Title**

Settlement Agreements in Sullivan v. Ramsey County (Court File No. 62-CV-21-651)

**Recommendation**

1. Approve the settlement agreements with Devin Sullivan, Mohamud Salad, Timothy Ivory, Anabel Herrera, Stanley Hafoka, Nathaniel Gomez-Haustein, Cedric Dodds, and Chelsea Cox relating to Sullivan v. Ramsey County, Court File No. 62-CV-21-651, totaling \$1,455,000.
2. Authorize the Chair and Chief Clerk to execute the settlement agreements.

**Background and Rationale**

On May 29, 2020, Steve Lydon, then-Superintendent of the Ramsey County Adult Detention Center, issued an order prohibiting corrections officers of color from entering the fifth floor where Derek Chauvin was being held. The order was rescinded approximately one hour later.

In June 2020, Adult Detention Center Corrections Officers Devin Sullivan, Mohamud Salad, Timothy Ivory, Anabel Herrera, Stanley Hafoka, Nathaniel Gomez-Haustein, Cedric Dodds, and Chelsea Cox (collectively, Plaintiffs) filed charges of discrimination with the Minnesota Department of Human Rights (MDHR) alleging race and color discrimination. In late December 2020, the MDHR notified the county that it would close its files because the officers planned to file their own lawsuit.

Plaintiffs then filed their district-court complaint against the county in February 2021. The complaint alleged multiple violations of the Minnesota Human Rights Act (MHRA), including race and color discrimination and hostile environment. Subsequently, three plaintiffs, Devin Sullivan, Stanley Hafoka, and Nathaniel Gomez-Haustein, added reprisal claims under the MHRA. Plaintiffs sought attorneys' fees, costs, emotional-distress damages, and punitive damages. Some of the plaintiffs additionally alleged loss of income.

The parties participated in mediation of the matter on May 11, 2022, and July 15, 2022. At the July 15

mediation, the parties agreed to settle the lawsuit, pending approval by the Ramsey County Board. The settlement provides payment of \$1,455,000 with the following sums allocated to individual plaintiffs for damages, attorneys' fees, and costs:

- Devin Sullivan: \$250,625.
- Mohamud Salad: \$175,625.
- Timothy Ivory: \$175,625.
- Anabel Herrera: \$175,625.
- Stanley Hafoka: \$250,625.
- Nathaniel Gomez-Haustein: \$75,625.
- Cedric Dodds: \$175,625.
- Chelsea Cox: \$175,625.

The settlement also provides that the county will issue a written statement and apology acknowledging that the May 29, 2020, order was discriminatory and wrong. The settlement disclaims liability by the county and provides for full dismissal of the lawsuit and full release of Plaintiffs' past and pending claims against the county.

**County Goals** (Check those advanced by Action)

☐ Well-being      ☐ Prosperity      ☐ Opportunity      ☒ Accountability

**Racial Equity Impact**

The Plaintiffs alleged multiple violations of the Minnesota Human Rights Act, including race and color discrimination and hostile environment. The settlement includes a provision that the county will issue a written statement and apology acknowledging that the May 29, 2020, order was discriminatory and wrong.

**Community Participation Level and Impact**

Settlement agreements do not require community participation.

☒ Inform      ☐ Consult      ☐ Involve      ☐ Collaborate      ☐ Empower

**Fiscal Impact**

The county is self-insured, and the settlement agreement will be paid out of the county's tort liability fund.

**Last Previous Action**

On June 14, 2022, and July 12, 2022, the Ramsey County Board met in closed meetings to receive advice from and provide direction to outside counsel and the County Attorney's Office.

**Attachments**

1. Devin Sullivan - Settlement Agreement
2. Mohamud Salad - Settlement Agreement
3. Timothy Ivory - Settlement Agreement
4. Anabel Herrera - Settlement Agreement
5. Stanley Hafoka - Settlement Agreement
6. Nathaniel Gomez-Haustein - Settlement Agreement
7. Cedric Dodds - Settlement Agreement
8. Chelsea Cox - Settlement Agreement