



## PUBLIC HEARING AGENDA ITEM

<b>DATE OF PUBLIC HEARING:</b> January 15, 2019
<b>SUBJECT:</b> Resolution Regarding Defense and Indemnification of Justin Moore as a Defendant Pursuant to C.R.S. § 24-10-101, et seq., 18-cv-11
<b>FROM:</b> Heidi Miller, County Attorney and Kerri A. Booth, Assistant County Attorney
<b>AGENCY/DEPARTMENT:</b> County Attorney's Office
<b>HEARD AT STUDY SESSION ON</b> N/A
<b>AUTHORIZATION TO MOVE FORWARD:</b> <input type="checkbox"/> YES <input type="checkbox"/> NO
<b>RECOMMENDED ACTION:</b> That the Board of County Commissioners Adopt the Resolution Regarding the Defense and Indemnification of Justin Moore as a Defendant Pursuant to C.R.S. § 24-10-101, <i>et seq.</i>

### **BACKGROUND:**

The Board of County Commissioners formally indemnifies employees and elected officials who are named in civil lawsuits. Justin Moore was named as a defendant in a civil action filed in Las Animas District Court. The lawsuit alleges that the Plaintiff, Justin Rueb, who is an inmate in Colorado Department of Corrections custody, suffered damages as a result of a long standing conspiracy to keep him incarcerated.

The County Attorney's Office has reviewed the facts of this lawsuit and has determined that Justin Moore was acting within the course and scope of his employment with the 17<sup>th</sup> Judicial District Attorney's Office at all relevant times pertaining to this lawsuit/incident. Therefore, the County Attorney's Office is recommending that Justin Moore be indemnified for any potential damages that might arise out of this litigation.

### **AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:**

17<sup>th</sup> Judicial District Attorney's Office

### **ATTACHED DOCUMENTS:**

Resolution

**FISCAL IMPACT:**

Please check if there is no fiscal impact ☐. If there is fiscal impact, please fully complete the section below.

**Fund:****Cost Center:**

	<b>Object Account</b>	<b>Subledger</b>	<b>Amount</b>
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
<b>Total Revenues:</b>			<hr/>

	<b>Object Account</b>	<b>Subledger</b>	<b>Amount</b>
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
<b>Total Expenditures:</b>			<hr/>

**New FTEs requested:** ☐ YES ☐ NO

**Future Amendment Needed:** ☐ YES ☐ NO

**Additional Note:**

Potential fiscal impact is unknown. If litigation results in settlement or judgment against the County or its employees/elected officials, there would be a fiscal impact. The potential amount of that impact is impossible to estimate at this time.