



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: March 12, 2019
SUBJECT: Resolution Regarding Defense and Indemnification of Christopher Campbell, Dennis Ayala, Gary Brown, Ross Yniguez, Daniel Gilbert, Michael McIntosh, Richard Reigenborn as Defendants Pursuant to C.R.S. § 24-10-101, et seq., 19-cv-00249-REB
FROM: Heidi Miller, County Attorney and Kerri Booth, Assistant County Attorney
AGENCY/DEPARTMENT: County Attorney's Office
HEARD AT STUDY SESSION ON N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners Adopt the Resolution Regarding Defense and Indemnification of Christopher Campbell, Dennis Ayala, Gary Brown, Ross Yniguez, Michael McIntosh, Richard Reigenborn as Defendants Pursuant to C.R.S. § 24-10-101, et seq.

BACKGROUND:

The Board of County Commissioners formally indemnifies employees and elected officials who are named in civil lawsuits. This lawsuit is brought by the Estate of Kyle Yoemans and stems from the death of Mr. Yoemans that occurred while he was incarcerated in the Adams County Detention Facility. Mr. Yoemans' estate has brought claims against the above named defendants alleging constitutional violations (including deliberate indifference and municipal liability). Claims have also been brought against the Adams County Detention Facility's medical services provider and individual medical staff employed by the medical services provider.

The County Attorney's Office has reviewed the facts of this lawsuit and it has been determined that Christopher Campbell, Dennis Ayala, Gary Brown, Ross Yniguez, Daniel Gilbert, Michael McIntosh and Richard Reigenborn were acting within the course and scope of their employment at all relevant times relevant to this lawsuit. Therefore, the County Attorney's Office is recommending that Christopher Campbell, Dennis Ayala, Gary Brown, Ross Yniguez, Daniel Gilbert, Michael McIntosh and Richard Reigenborn be indemnified for any potential damages that might arise out of this litigation.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams County Sheriff'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:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
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:			
Total Expenditures:			

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.