



PUBLIC HEARING AGENDA ITEM

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| DATE OF PUBLIC HEARING: September 15, 2020 |
| SUBJECT: Resolution Regarding Defense and Indemnification of Chad Jenkins and Michael Donnellon as Defendants Pursuant to C.R.S. § 24-10-101, et seq., 20-cv-02297-STV |
| FROM: Heidi Miller, County Attorney, 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 Chad Jenkins and Michael Donnellon 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 John Jordan who claims his Fourth Amendment Right to the U.S. Constitution was violated by Chad Jenkins, and Michael Donnellon who allegedly made an unlawful, excessive force, arrest on Mr. Jordan. Further, Mr. Jordan claims his First Amendment Right to the U.S. Constitution was violated after he was transported to the Adams County Jail, where he was allegedly forced to remove his religious articles of clothing against his will.

The County Attorney's Office has reviewed the facts of this lawsuit and it has been determined that Chad Jenkins and Michael Donnellon 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 Chad Jenkins and Michael Donnellon be indemnified for any potential damages that might arise out of this litigation.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

RESOLUTION REGARDING DEFENSE AND INDEMNIFICATION OF CHAD JENKINS AND
MICHAEL DONNELLON AS DEFENDANTS PURSUANT TO C.R.S. § 24-10-101, ET SEQ.

FISCAL IMPACT:

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

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|---------------------|
| 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.