



City of Fayetteville

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Legislation Text

File #: 17-454, Version: 1

TO: Mayor and Members of City Council

THRU: Karen M. McDonald, City Attorney

FROM: Michael Parker, Police Attorney

DATE: October 9, 2017

RE:
Request for Legal Representation of City Employee

COUNCIL DISTRICT(S):
ALL

Relationship To Strategic Plan:

Goal 5: Have unity of purpose in its leadership and sustainable capacity within the organization.

Executive Summary:

The purpose of this agenda item is to receive authorization from the City Council to provide legal representation for City employee Benjamin Hammond in the matter of *Freddie Taylor v. Fayetteville Police Department and Police Officer B. Hammond (aka) Detective Hammond*. The employee was acting within the scope and course of his employment with the City when the alleged incident occurred.

Background:

Detective Benjamin Hammond is employed by the City of Fayetteville Police Department. He has been named as a defendant in a lawsuit filed by Freddie Taylor, who alleges that Detective Hammond was negligent and failed to “properly secure and store” plaintiff’s vehicle during a traffic accident on January 31, 2015. Detective Hammond was acting within the scope and course of his employment with the City when the incident occurred. He has requested legal representation pursuant to N.C.G.S. § 160A-167, which provides for the defense of an employee based on acts done within the course and scope of employment.

Issues/Analysis:

No known issues.

Budget Impact:

Unknown at this time.

Options:

1. Authorize the request for legal representation.
2. Reject the request for legal representation.
3. Provide additional direction to staff.

Recommended Action:

Staff recommends that Council move to authorize the City to provide legal representation for Detective Benjamin Hammond in the matter of *Freddie Taylor v. Fayetteville Police Department and Officer B. Hammond (aka) Detective Hammond*.

Attachments:

No Attachments