

**News Conference:  
ANNOUNCEMENT OF SETTLEMENT IN 'RIDERS' CASE**

City Attorney John Russo's Remarks

**1. INTRODUCTION**

- ✓ Today Oakland is turning the page on a bleak chapter in our City history.
- ✓ I am pleased to stand here today with Mayor Jerry Brown; Oakland Police Chief Richard Word; plaintiffs' attorneys John Burris, James Chanin, and John Houston Scott; City Council President Ignacio De La Fuente; Councilmember Larry Reid, Chair of the Council's Public Safety Committee; and City Manager Robert Bobb to announce the global settlement of the Riders civil rights cases.
- ✓ As you remember, in the fall of 2000, 119 plaintiffs filed suit against the City in Federal Court alleging that their civil rights were violated by 4 Oakland Police officers working in West Oakland; these officers became known as the Riders.
- ✓ Allegations against the 4 officers included false arrest, planting evidence, excessive use of force, falsification of police reports, and assault and battery.
- ✓ When rookie police officers stepped forward to report the misconduct, the Oakland Police Department immediately placed the four named officers on administrative leave and launched an extensive Internal Affairs investigation.
- ✓ The investigation revealed that these four officers had committed serious violations of departmental policy; the officers were then terminated and the case was referred to the Alameda County District Attorney for investigation into criminal conduct.
- ✓ Their criminal trial is currently underway in Alameda County Superior Court.

**2. FRAMEWORK OF SETTLEMENT AGREEMENT AND MONETARY PAYOUT**

- ✓ Understanding the severity of the allegations and the potentially devastating financial impact of a lawsuit of this magnitude, the City moved quickly and effectively to fix the underlying weaknesses in our system that allowed this misconduct to occur.
- ✓ After nearly two years of extensive negotiation and hard work, the City of Oakland and plaintiffs' counsel have reached a global settlement that is fair and that will ultimately serve the City well into the future.

- ✓ The settlement agreement is voluntary, collaborative, and comprehensive
  - Voluntary:
    - Unlike many other cities which have faced similar allegations of police misconduct, Oakland did not deny, hide or retreat from these serious allegations
    - We did not, so to speak, bury our heads in the sand
    - Nor did we wait for the Department of Justice to force us into a consent decree
    - Quite the contrary, the Executive Management of the City (Mayor/City Manager, Police Chief, City Attorney, City Council) took immediate action to aggressively manage this lawsuit in the interest of saving taxpayer dollars and preventing a repetition of such a scandal
  - Collaborative
    - The process was collaborative
    - We looked to cities across country to learn from their experience in crafting a solution that would work in Oakland
    - We convened a Blue Ribbon panel of experts with national reputations to develop new police accountability procedures, including:
      - former DOJ lawyer who practiced in Civil Rights Division of DOJ
      - Deputy Commissioner in charge of all NYPD training
      - former police chiefs from other urban cities throughout the country
      - former president of the Black Police Officers' Association
    - Most importantly, over the last 15 months we collaborated with plaintiffs' attorneys and the Federal Court to develop an agreement that would result in systemic reforms
  - Comprehensive:
    - This global, Court-approved agreement settles claims from 119 individual plaintiffs in 15 lawsuits—would have resulted in 25 separate trials if not settled (groups of 5 plaintiffs at a time) at enormous cost to the taxpayers of Oakland
- ✓ The settlement agreement is comprised of two parts: the monetary payout and the package of institutional and operational reforms in the Oakland Police Department
  - Monetary Payout
    - 119 plaintiffs and their attorneys will receive \$10.9 million
    - This amount includes all damage payouts, attorney's fees, and costs
    - Refer to fact sheet provided for a detailed accounting of this breakdown
    - Under the City's excess coverage insurance policy, the City is responsible for paying a \$2 million "deductible" plus 1% of the total settlement cost
    - Total payout for the City is \$2.5 million

- To put this in context, the City has only paid out \$2+ million in 5 other cases in its history (if asked):
  - fire truck that hit store and killed person in 1991
  - claims from Oakland Hills Firestorm in late 1990s
  - home invasion robbery where two people were killed (2000)
  - police car accident that left person permanently injured (2001)
  - business license tax challenge (2002)

➤ Reform Measures

- City of Oakland has agreed to institute operational reforms in the Police Department.
  - Implementation of the five-year settlement agreement will be overseen by an independent monitor, to be agreed upon by the parties
  - The monitor will audit the Department's compliance with the settlement agreement and report to the Federal Court on a regular basis
  - Chief Richard Word will discuss the reform measures these in more detail
- ✓ Settlement is fair—changes not unusual or draconian—reforms consistent with best policing practices nationwide
  - ✓ Some aspects of the reforms will be new; the agreement is mostly about enforcing existing rules and providing the Department with better management tools to monitor performance
  - ✓ Not looking to impede officers from doing excellent police work
  - ✓ Acknowledge supervision of Federal Court
  - ✓ Acknowledge cooperative, non-confrontational collaboration with plaintiffs' attorneys to develop an agreement that would fairly compensate victims and would secure range of reforms to prevent future problems; approach is unique, cost-effective, valuable to all parties

### 3. LITIGATION MANAGEMENT STRATEGY

- ✓ All sides recognized need to minimize fiscal impact to City in order to maximize the effectiveness of the reforms
- ✓ City's aggressive posture from start resulted in judiciously managed litigation—net result was to drive down cost to City
  - Not one deposition taken
- ✓ By controlling litigation costs we saved taxpayers millions of dollars so that the City's resources could be spent on implementing the Court-approved reforms

- 4. INTRODUCE MAYOR JERRY BROWN/CITY MANAGER ROBERT BOBB**
- 5. INTRODUCE POLICE CHIEF RICHARD WORD**
- 6. INTRODUCE PLAINTIFFS' ATTORNEYS: John Burris**
- 7. INTRODUCE CITY COUNCIL PRESIDENT IGNACIO DE LA FUENTE**
- 8. INTRODUCE COUNCILMEMBER LARRY REID, PUBLIC SAFETY COMMITTEE**
- 9. CLOSING REMARKS**