

September 21, 2023

CLOSED SESSION REPORT OF FINAL ACTION

Date of Meeting: *Thursday, September 21, 2023*

Litigation Negotiations

NAME OF ACTION:

Melina Armstead et al. v. County of Alameda, City of Oakland, et al.
United States District Court, Case No. 3:21-05257-LB

This matter is listed as **Item No. 1(b)** on the Closed Session Agenda:

The Council authorized settlement in the amount of **\$450,000.00**

This case arose out of an incident occurring on **May 1, 2020**

FACTS/ISSUES:

Plaintiffs Melina Armstead, individually and as the personal representative of the Estate of Miles Armstead, A.A., and I.L. allege that for several months Defendant Jamal Thomas (“Thomas”) harassed the Armstead family, yelling and knocking on their door and breaking their windows. Oakland Police Department officers arrested Thomas, but Thomas was released from custody. Tragically, several months after Thomas was released from custody, Thomas murdered Miles Armstead. Plaintiffs claim that Oakland police officers should have done more to protect them from Thomas, and that statements made by the former Oakland police officer who arrested Thomas emboldened Thomas and led to Thomas’s murder of Armstead.

Plaintiffs allegedly suffered loss of financial support, companionship, and household services, sustained emotional distress, and incurred funeral and burial expenses. The City has determined that settlement in the amount of \$450,000.00, without admitting liability and to avoid further litigation, is in the City’s best interest.

Motion Made by:

Motion Seconded by:

AYES: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid and President Fortunato Bas= 5

NOES: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid and President Fortunato Bas=

ABSENT: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid and President Fortunato Bas= 3

ABSTENTIONS: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid and President Fortunato Bas=