

**THE CITY OF OKLAHOMA CITY
OFFICE OF
THE MUNICIPAL COUNSELOR**

Council Agenda
Item No. XI. S
12/3/2024

TO: Mayor and City Council

FROM: Kenneth Jordan, Municipal Counselor

Enter into executive session on advice of the Municipal Counselor to receive confidential communications from its attorney concerning the case of *Jeffery Earle Lassiter v. City of Oklahoma City, a Political subdivision of the State of Oklahoma; and Oklahoma City Police Department, a subdivision of the City of Oklahoma City*, United States District Court for the Western District of Oklahoma, Case No. CIV-23-621-JD, as authorized by 25 O.S. (2024 Supp.) §307(B)(4), because disclosure would seriously impair the ability of the public body to conduct the pending litigation in the public interest.

In the above case, Plaintiff alleges that on August 9, 2021, at approximately 4:30 a.m., his Constitutional rights were violated by a use of force when he was arrested by officers of the Oklahoma City Police Department after being called to a Love's Convenience Store at 3233 SW 89th Street where Plaintiff was irate and was alleged to have thrown a drink at another person. He allegedly also destroyed store property and appeared intoxicated. When Officer Cross arrived, he found Plaintiff standing next to a vehicle with several other people. Officer Cross attempted to take Plaintiff into custody. Plaintiff ignored his lawful commands. During his resistance and struggle, he contends that his arm was broken. When a second Officer arrived, Officer Hall, he assisted Cross in placing him in handcuffs and into the squad car and took him to the hospital.

The Plaintiff has sued the City pursuant to 42 USC §§ 1983, and 1985, alleging a violation of Plaintiff's rights under the Fourth and Fourteenth Amendments claiming that the officers used excessive force because of unconstitutional policies and also had deliberate indifference to Plaintiff's medical needs. Plaintiff did not sue any individual officers.

Plaintiff is represented by Kent Eldridge and Guinise Marshall Eldridge. The City is represented by Assistant Municipal Counselors Richard Mann, and Katie Goff.

This case was filed in the United States District Court for the Western District on July 18, 2023. The parties are ordered to participate in a Judicial Settlement Conference on December 6, 2024 at 1:30 p.m.

It is the recommendation of the Municipal Counselor to enter into executive session to discuss the facts and merits of this case and settlement potential.