

Mammoth Lakes Town Council Agenda Action Sheet

Title: Update on steps taken in response to Thompson incident.

Council Meeting Date: 2/2/2022

Prepared by: Town Attorney Andrew Morris

Recommended Motion: This is an informational item only and no action is required.

Summary:

On March 9, 2021 local resident Stephanie Thompson reported her vehicle had been stolen. The vehicle was located on March 10th and Ms. Thompson was notified. Ms. Thompson declined to have the vehicle towed, and the vehicle was subsequently stolen again. After the second theft, Mammoth Lakes Police Department personnel contacted Ms. Thompson in the field again. A police vehicle that had not been properly parked briefly pinned Ms. Thompson and two officers up against another police vehicle. Town staff subsequently offered Ms. Thompson a cash settlement in exchange for a release of potential claims arising from these incidents. Ms. Thompson declined to execute a settlement agreement, and no settlement was ever finalized.

Following these events, the Town commissioned an independent investigation of how these incidents were handled by Town staff. The investigation concluded that one MLPD officer had failed to follow MLPD policy when he failed to secure his vehicle. The investigation concluded that the offer of the cash settlement, and the manner in which that offer was communicated, did not violate any MLPD policies or procedures and were not unethical or inappropriate. Because Ms. Thompson has filed a claim against the Town and has retained an attorney, it is not appropriate to release the investigation report publicly at this point.

At the direction of the Town Council, the use of field settlement agreements is under review by Town management and legal counsel. We anticipate bringing forward a recommendation to the Town Council soon regarding whether or not, when, and how such settlements may be used. We will suggest that any Town Council direction regarding such settlements be memorialized in a written policy