



City of Cambridge

9.

COUNCILLOR D. SULLIVAN

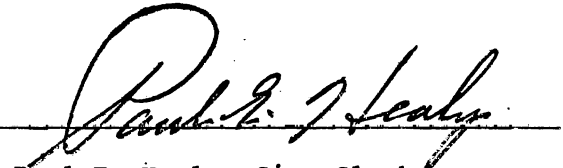
IN CITY COUNCIL
February 10, 1986

- WHEREAS: On December 2, 1985, in Rumery v. Town of Newton, 778 F.2d 66 (1st Cir. 1985), the United States of Court of Appeals for the First Circuit held unenforceable, as against public policy, all agreements not to sue public officials for violation of civil rights, in return for a decision not to prosecute the claimant on criminal charges; and
- WHEREAS: This decision is now governing law throughout Massachusetts; and
- WHEREAS: Several weeks ago, based on the Rumery decision, the Boston Police Department agreed to stop using a form by which persons arrested but not charged were asked to promise not to sue the city; therefore, be it
- RESOLVED: That the City Manager be requested to report in writing whether any such form is used, or policy to elicit such promises exists, in Cambridge, and if so, whether the city intends to make any changes based on the Rumery decision.

In City Council February 10, 1986.
Adopted by the affirmative vote of 9 members.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-


Paul E. Healy, City Clerk.

Order #9 F-53

C.D. Sullivan re: resolutions requesting the City Manager to report as to whether any form is used by which persons arrested but not charged were asked not to sue the City & if such a form exists, if the City intends to make any changes based on the Rumery v. Town of Newton decision.

In City Council,

February 10, 1986

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