

OnBase ID # 93510

May 18, 2022

To: Honorable Members of the
Board of Acquisition and Contract

From: John M. Nonna
County Attorney

Re: Request for Authorization to Settle the Lawsuit Henry Concepcion-Ramos v. County of Westchester, et al. in the amount of \$62,500.00.

Attached for your consideration is a resolution which, if approved by your Honorable Board, would authorize settlement of the lawsuit Henry Concepcion-Ramos v. County of Westchester, et al.

Plaintiff Henry Concepcion-Ramos, a former inmate at the Westchester County Jail, commenced this negligence action in the Westchester County Supreme Court, alleging that on September 15, 2017, he was viciously attacked and beaten by another inmate in Penn B of the Westchester County Jail. As a result of the occurrence, plaintiff sustained personal injuries to his face, including two broken bones, and an orbital fracture to his right eye. Due to his injuries, he subsequently received seven stitches under his right eye and underwent surgery at the Westchester Medical Center, wherein an orbital prosthesis was implanted in and around his right eye. Plaintiff additionally claims that he suffers from residual double vision in his right eye, pain, and that he is unable to sleep at night.

Plaintiff asserts that Jail employees failed to protect him after he specifically made a request that he be moved to another part of the Jail, after he had been involved in a previous altercation with another inmate the night before. Specifically, plaintiff was "pushed-punched" by another inmate the night before, and as a result, made a written report of the altercation containing the request to be transferred, and gave this report to Sergeant Haspil. In response, plaintiff claims Sergeant Haspil took the report, went upstairs and informed the inmates that plaintiff made this report. Upon hearing this, a different inmate called plaintiff a "rat" and then went to plaintiff's dorm area and viciously attacked him, causing him the serious injuries described herein.

Plaintiff is represented by John V. Decolator, Esq., of the Law Offices of Stephen B. Kaufman, P.C., 3397 E. Tremont Avenue, Bronx, New York 10461.

In light of the nature of plaintiff's injuries and the liability assessment that Jail employees failed to protect him while he was an inmate at the Jail, a settlement of \$62,500.00 is proposed, and plaintiff's counsel has indicated that such an amount would be acceptable to plaintiff.

JMN/tal

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/16/2022 - RAYMOND SCULKY, SECRETARY

RESOLUTION

Upon the communication of the County Attorney, it is hereby

RESOLVED, that the County Attorney is hereby authorized to settle the lawsuit Henry Concepcion-Ramos v. County of Westchester, et al. by payment from the County of Westchester to Henry Concepcion-Ramos in the amount of \$62,500.00; and it is further

RESOLVED, that the County Attorney or his designee is authorized to execute any documents necessary to implement this resolution.

Original Agreement	\$	N/A
First Amendment	\$	N/A
This Amendment	\$	N/A
TOTAL	\$	N/A

Account to be Charged/Credited

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
615	59	0697/4150	4280/04	N/A	\$62,500.00

Budget Funding Year(s) 2017 Start Date 1/1/2017 End Date 12/31/2017
 (must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$ 62,500.00 Federal Aid _____

(must match resolution) Other Self-Insurance or Self Retention