

Office of Superintendent of Schools
Board Meeting of January 14, 2004

December 19, 2003

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: PROVISION OF DEFENSE COUNSEL TO SCHOOL POLICE OFFICER. DANIEL RIVERA IN THE CASE OF BURNSIDE v. THE SCHOOL BOARD OF MIAMI DADE COUNTY, FLORIDA and DANIEL RIVERA, U.S. DISTRICT COURT CASE NO. 03-22982-CIV-KING

The above styled lawsuit was filed in the Federal District Court and was served on November 15, 2003 on Daniel Rivera, a school police officer. The lawsuit alleges that Defendant, among other things, falsely arrested the Plaintiff while on school grounds.

The acts alleged in the Complaint to have been committed by Defendant arose out of and in the course of the performance of officer Rivera's assigned duties and responsibilities as a school police officer. Pursuant to the authority vested in it under § 1012.26, Fla. Stat. (2003), we are requesting that the School Board authorize the provision of legal representation for officer Rivera.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Office of the School Board Attorney to provide for the defense of Schools Police Officer Daniel Rivera in the case of Burnside v. The School Board of Miami Dade County, Florida and Daniel Rivera, U.S. District Court Case No. 03-22982-Civ-King.

LMG/dlp

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