

Oak Grove ordered to pay fired officer

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Former Oak Grove policeman William Laux has won a wrongful termination suit against the city of Oak Grove.

Laux was awarded \$120,500 Friday in lost wages and emotional damages, and was ordered to be reinstated at the Oak Grove Police Department by U.S. District Judge Thomas Russell.

Laux was terminated by Oak Grove Mayor Colleen Ochs in April 2003 after five years at the department, following a complaint by a fellow officer.

Laux said he was fired without due process guaranteed by KRS 15.520 the "Policeman's Bill of Rights," and the 14th Amendment of the U.S. Constitution.

Under state law, the city was required to give Laux a hearing where the conditions of termination were to be explained, but Laux said the mayor gave no him no warning or explanation before his termination.

The termination resulted from a traffic stop in Oak Grove after which Laux said a fellow officer, David Tomlinson, complained about Laux's failure to issue a traffic citation for speeding. Laux said he and Tomlinson, who was riding with Laux, were on the lookout for DUI's when they stopped a woman for driving 73 mph in a 55 zone.

Laux said he let the woman go because they were looking for drunk drivers that night. Tomlinson issued a complaint afterwards stating that the woman was driving on an expired license in addition to her speeding violation, which Laux said he wasn't aware of at the time of the stop.

Laux said Tomlinson was new to the force and still in training at the time of the incident.

Laux was summoned to the mayor's office and summarily fired in the presence of the mayor, city attorney, and police chief.

Laux said he received no prior warning or explanation as to the reason for the meeting.

He subsequently filed a lawsuit in federal district court against Oak Grove for wrongful termination and violation of his civil rights.

Laux's attorney handling the case, Ken Haggard, said he and his client offered to settle with Oak Grove during the litigation process, but the city only offered \$2,500 in compensation. He said the jury awarded Laux "every penny" of his lost pay in addition to \$60,000 for emotional distress. The city was also held responsible for Laux's attorney fees.

Haggard said Oak Grove has 30 days to appeal the decision, and said he thought they would likely do so.

Oak Grove city councilman Eddie Cannon said the court's decision pleased him though the city was held financially liable.

"Personally I'm glad that justice was done. I'm just sad it cost the taxpayers," he said.

Cannon said the blame for the case doesn't lie solely with the mayor, he thought Oak Grove Police Chief Milton Perry was also responsible for making the recommendation that Laux be fired without any investigation into the matter.

Oak Grove Mayor Colleen Ochs had no comment when contacted concerning the case.

Oak Grove Police Chief Milton Perry couldn't be reached for comment Monday.

Laux, who is now employed by the Department of the Army Civilian Police, did not comment as to whether he would go back to the Oak Grove Police Department.

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