

# LAW ENFORCEMENT LIABILITY

Public Entity Partners is committed to professionalism in law enforcement.

**We have a long-standing commitment to professionalism in law enforcement and with local government in general. Risk management and professionalism truly go hand-in-hand.**

As an active partner with the Tennessee Association of Chiefs of Police (TACP), we often provide speakers at their training meetings. We also present to every training class at the Tennessee Law Enforcement Training Academy, providing instruction on law enforcement liability and injury awareness.

In 2019, we launched a law enforcement de-escalation, use of force, and decision-making training scholarship program, which we believe all law enforcement agencies, large and small, should participate in. Offered in cooperation with the University of Tennessee's Law Enforcement Innovation Center (LEIC) and TACP, this program targets the critical exposure area of law enforcement liability.

In addition, we began providing a supplement for law enforcement members in early 2020 that helps offset the cost of Virtual Academy, an online training platform that offers 39 of the 40 hours of Tennessee-mandated training.

Providing high-quality and timely training to police departments is vital for reducing liability, delivering the best service to citizens and protecting law enforcement professionals.

Public Entity Partners has been involved in case law supporting the goals of Tennessee's police departments to protect life and prevent crime. We defended the city of Elkton in the case of Ezell vs. Cockrill, which established a precedent for the state's public duty doctrine. In addition, Public Entity Partners attorneys write amicus briefs on Tennessee law enforcement-related cases, even when our insureds are not the defendants.

Public Entity Partners is a partner with law enforcement agencies across the state. We insure nearly 250 of Tennessee's police agencies, representing more than 4,500 police officers.

Law enforcement is a vital component of Tennessee's cities and towns. Along with the safety risks they face each day, police officers are also at risk of law enforcement liability allegations, such as use of force, false arrest or imprisonment, unlawful search and seizure, and other civil rights violations.

Claims against law enforcement agencies are frequently filed in federal court, where tort limits do not apply. Public Entity Partners has successfully defended police departments across the state. We have an extensive statewide network of defense attorneys who are experienced in law enforcement issues and lawsuits.

When evaluating liability coverage needs for your law enforcement department, please consider the following:

- **Check to see if a liability policy has an exclusion for intentional acts, including the use of force to protect persons or property. Public Entity Partners' law enforcement liability policy has an exception for use of reasonable force by law enforcement to protect persons or property.**
- **Law enforcement agencies frequently respond under the Mutual Aid Act of 2004. Liability coverage should recognize the jurisdiction of law enforcement agencies that either operate under this statute or through mutual law enforcement assistance agreements.**

Coverage should be provided for:

- **Drug, search and enforcement dogs (liability and injury);**
- **Jail cells and holding areas;**
- **Authorized moonlighting;**
- **Good Samaritan liability;**
- **Commandeered and impounded property;**
- **Third-party discrimination, retaliation and harassment;**
- **Allegations of sexual misconduct, including coverage for defense and judgements for members; and**
- **Liability and physical damage related to the municipal use of drones.**

*Please review all policy terms, conditions and exclusions.*