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## Police Indemnification Reexamined

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### ABSTRACT

*From 2006-2011, in forty-four large jurisdictions across the country, plaintiffs were awarded more than \$735 million to resolve approximately 9225 police misconduct lawsuits. Law enforcement officers contributed to just 0.41% of settlements and judgments in these cases, and their contributions amounted to just 0.02% of the money paid. Officers did not pay even when they were disciplined, fired, or sent to prison, and did not pay a penny of the more than \$9 million in punitive damages awarded against them. Officers employed by thirty-seven smaller jurisdictions paid nothing to resolve the cases brought against them, either. In a 2014 article, Police Indemnification, I reported these findings and considered their implications for civil rights doctrine, policy, and practice.*

*For this Article, I queried the same jurisdictions about government and officer payouts in police misconduct lawsuits resolved between 2018-2023. Among responding jurisdictions, the overall picture remains very much the same: police officers virtually never pay. Yet there also appear to be intriguing, if subtle, differences between 2006-2011 and 2018-2023: higher overall payouts to plaintiffs; juries awarding more, on average, in punitive damages; more governments denying officers indemnification or requiring them to contribute to settlements; and*

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\* Honorable Harry Pregerson Professor of Law, UCLA School of Law. For insightful comments on prior drafts, thanks to Alexander Reinert, James Pfander, and Dan Schwartz. Thanks to UCLA Law School's Empirical Research Group, including Jonathan Rogers, Lucy Yang, and Henry Kim, for guidance and assistance with calculations. Additional thanks to Jack Coppinger, Alexandra Guadagno, Ramzi Haddad, and Antonio Pineda for excellent research assistance. [More thanks TK]

*more plaintiffs' attorneys seeking to collect against unindemnified officers.*

*Both the overall consistency of these findings—and the observed shifts in some governments', plaintiffs' attorneys', and juries' decisionmaking—prompt valuable insights for this understudied corner of constitutional tort law and litigation. Additionally, many local governments' stubborn reluctance to collect information about lawsuit payouts and indemnification decisions—apparent in the earlier study and seemingly heightened in some jurisdictions in this study—is itself a notable finding that should guide policies and practices moving forward.*

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## INTRODUCTION

The claim that police officers personally satisfy settlements and judgments against them has long been a cornerstone of constitutional tort jurisprudence—serving as a justification for qualified immunity

doctrine and the prohibition on punitive damages against local governments, and underlying the stringent requirements for municipal liability.<sup>1</sup>

In a 2014 article, *Police Indemnification*, I reported findings that directly contradicted that claim.<sup>2</sup> From 2006-2011, in forty-four large jurisdictions across the country, plaintiffs were awarded more than \$735 million to resolve approximately 9225 police misconduct lawsuits, but law enforcement officers contributed to just 0.41% of settlements and judgments in these cases and their contributions amounted to just 0.02% of the money paid.<sup>3</sup> Officers did not pay even when applicable indemnification rules prohibited indemnification; even when they were disciplined, fired, or sent to prison for their misdeeds; and even when punitive damages were awarded against them.<sup>4</sup> The same was true in thirty-seven smaller jurisdictions; officers employed by these jurisdictions paid nothing to resolve the cases brought against them.<sup>5</sup> Indemnification laws and policies did not play a consistent role in the litigation of police misconduct cases—in some jurisdictions, officer indemnification was preordained and in others it was a hotly contested issue.<sup>6</sup> In some jurisdictions, the threat that an officer would be denied indemnification was used as a strategic tool to

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<sup>1</sup> See *Harlow v. Fitzgerald* 457 U.S. 800, 806 (1982) (describing qualified immunity as necessary “to shield [officers] from undue interference with their duties and from potentially disabling threats of liability”); *Pierson v. Ray* 386 U.S. 547, 555 (1967) (concluding that qualified immunity is necessary because a police officer should not be forced to “choose between being charged with dereliction of duty if he does not arrest when he has probable cause, and being mulcted in damages if he does”); *Bd. of Cnty. Comm’rs v. Brown*, 520 U.S. 397, 436 (1997) (Breyer, J., dissenting) (explaining that, to the extent that indemnification statutes “provide for payments from the government that are similar to those that would take place in the absence of *Monell*’s limitations...municipal reliance on the continuation of *Monell*’s ‘policy’ limitation loses much of its significance.”); *City of Newport v. Fact Concerts, Inc.* 453 U.S. 247, 267-69 (1981) (holding that punitive damages against individual officers “based on his personal financial resources” can better deter the “offending officer” than punitive damages against municipalities, because the latter—but not the former—would be paid by taxpayers).

<sup>2</sup> Joanna C. Schwartz, *Police Indemnification*, 89 N.Y.U. L. Rev. 885 (2014).

<sup>3</sup> See *id.*

<sup>4</sup> See *id.*

<sup>5</sup> See *id.*

<sup>6</sup> See *id.* at 916-17.

gain leverage before, during, and after trial.<sup>7</sup> But regardless of indemnification laws on the books or practices on the ground, the bottom line remained the same: officers virtually never paid.

In *Police Indemnification*, I argued that evidence of officers' near total protection from financial liability when they are sued undermines prevailing justifications for qualified immunity doctrine, the complex and challenging standards for municipal liability, and the prohibition of punitive damages awards against cities and counties.<sup>8</sup> In the years since its publication, the findings reported in *Police Indemnification* have been repeatedly cited in popular commentary, case briefs, and judicial opinions to support these and related conclusions.<sup>9</sup>

Despite ongoing reliance on the findings in *Police Indemnification*, some of the data are two decades old and arguably stale—particularly given seemingly seismic changes in public discourse around police misconduct, police accountability, and qualified immunity doctrine.<sup>10</sup> Accordingly, in this Article, I reexamine the same questions posed in *Police Indemnification*: How often, and under what circumstances, do police officers contribute to settlements and judgments against them? While *Police Indemnification* offered answers to these questions based on police misconduct payouts from 2006-2011, this Article reports on police misconduct payouts from 2018-2023 and compares findings from both periods.

For the 2014 *Police Indemnification* study, I sent public records requests to the 70 largest law enforcement agencies in the country and a random selection of 70 medium and small agencies, asking for information about the amount paid in police misconduct suits and the amount of any contribution by officers for the years 2006-2011.<sup>11</sup> For this Article, I issued those same public records requests to the same 140 large, medium, and small agencies, seeking information for the years 2018-2023.

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<sup>7</sup> See *id.* at 931-36.

<sup>8</sup> See *id.*

<sup>9</sup> See *infra* notes 29-37 and accompanying text.

<sup>10</sup> For discussion of courts', scholars', and commentators' reliance on the findings in *Police Indemnification* and the interests animating this reexamination, see Part I.

<sup>11</sup> For further description of that methodology, see Schwartz, *supra* note 2, at 902-12.

In both studies, it was remarkably difficult to get information from jurisdictions about the amount they paid to resolve suits brought against their officers and whether officers contributed to any of those payments.<sup>12</sup> Nevertheless, jurisdictions' responses—augmented by interviews and emails with plaintiffs' attorneys and government officials, and additional examination of dockets and decisions—revealed information about 44 large jurisdictions for the 2006-2011 study, and 39 large jurisdictions for the 2018-2023 study. I was also able to gather information from 37 smaller jurisdictions for the 2006-2011 study period and 38 smaller jurisdictions for the 2018-2023 study period. The responding jurisdictions in both studies overlap significantly, but are not precisely the same.<sup>13</sup>

Regarding the first of the questions animating both studies—how often officers contribute to settlements and judgments against them—the overall picture for the years 2018-2023 remains much the same as it was in 2006-2011: Police officers very rarely pay anything towards the settlements and judgment entered against them.<sup>14</sup> There were some notable changes: In the jurisdictions that responded to the 2018-2023 study, plaintiffs were awarded significantly more money in civil rights cases (\$1.5+ billion compared to \$735+ million); juries awarded substantially more in punitive damages (\$37.1+ million compared to \$9.3+ million); and officers paid more (\$578,000+ compared to \$151,000+). But, still, officers in both studies contributed to fewer than 0.5% of cases (0.41% in the 2006-2011 study and 0.43% in the 2018-2023 study), and officers' payments in both studies represented a miniscule percentage of the total paid to plaintiffs (0.02% in the 2006-2011 study, and .04% in the 2018-2023 study).

Regarding the second question animating these studies—when and under what circumstances officers contribute to settlements and judgments against them—this study reports subtle shifts.<sup>15</sup> In the 2006-2011 study period, in all of the cases in which officers paid, officers' payments were part of pre-negotiated settlements and in all but one constituted a small portion of the total awarded plaintiffs. During the 2018-23 study period, the majority of officer payments were

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<sup>12</sup> For further discussion of these challenges, see *infra* Part II.A.

<sup>13</sup> See *infra* note 69 and accompanying text.

<sup>14</sup> For further discussion of these findings, see *infra* Part II.B.

<sup>15</sup> For further discussion of these findings, see *infra* Part II.C.

negotiated in settlements, as well. But there were at least five cases in three jurisdictions (two of which were part of the earlier study) in which jurisdictions denied an officer indemnification and plaintiffs took steps—including garnishing wages and attaching property—to collect on judgments against them. In additional cases resolved between 2018-23, jurisdictions have denied officers indemnification and government officials, officers, and plaintiffs are continuing to fight about who bears financial responsibility. These few cases are a tiny proportion of the thousands of cases resolved during this period with payments to plaintiffs. And given the sparse available data, it is far too premature to claim that these shifts reflect a broader trend. But the possibility that more jurisdictions are willing to deny officers indemnification, and more plaintiffs’ attorneys are willing to collect against officers personally, merits further study.

The findings reported in *Police Indemnification* and this Article prompt three observations. First, the fact that officers almost never pay when they are sued should foreclose, for good, the perennial argument that police officers are threatened with bankruptcy every time they misstep while making a split-second decision in good faith, as some recent defenders of qualified immunity continue to assert.<sup>16</sup>

Second, these findings illuminate the complex, jurisdiction-specific stars that must align before an officer is required to pay.<sup>17</sup> Commentators have assumed that officers will pay when indemnification is prohibited as a matter of law, or when officers have engaged in the most severe misconduct.<sup>18</sup> *Police Indemnification* made clear—and this study confirms—that neither condition is necessary or sufficient. Instead, whether an officer pays is a product of multiple interrelated elements, including government officials’ willingness to deny an officer indemnification, plaintiffs’ attorneys willingness to pursue claims against unindemnified officers, and the existence of sufficient officer resources from which plaintiffs can collect.<sup>19</sup> In other words, the interests and interactions of various actors in what I have

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<sup>16</sup> See *infra* Part III.A.

<sup>17</sup> See *infra* Part III.B.

<sup>18</sup> See *infra* notes 100, 114 and accompanying text.

<sup>19</sup> These dynamics are further explored in Joanna C. Schwartz, *The Unindemnified*, 111 Minn. L. Rev. (forthcoming, 2026), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=5682226](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5682226).

called the “civil rights ecosystem” matter far more than the indemnification rules on the books or the egregiousness of officers’ misbehavior.<sup>20</sup> And participants in that ecosystem—especially government officials and plaintiffs’ lawyers—can meaningfully shift the financial effects of lawsuits on officers without formal changes to indemnification rules.

Third, and finally, *Police Indemnification* and this Article make clear that local governments’ stubborn ignorance about the costs of litigation and their own indemnification decisions should be a focus of concern, advocacy, and reform.<sup>21</sup> More research would be necessary before any definitive conclusions could be reached about the degree to which lawsuit payouts have increased, or the causes of those increases.<sup>22</sup> Yet evidence that civil rights lawsuit payments and punitive damages awards have risen between 2006-2011 and 2018-2023 will undoubtedly be used by government officials and proponents of tort reform to argue that lawsuits against local governments need to be curbed.<sup>23</sup> This evidence will also, likely, be used to oppose state laws currently being considered to make it easier to sue local and federal officers when they violate the law.<sup>24</sup>

But these studies should be understood to point to a different potential cause of rising litigation costs; local governments across the country are not taking the most basic steps to learn from the suits

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<sup>20</sup> For further discussion of civil rights ecosystems, see Joanna C. Schwartz, *Civil Rights Ecosystems*, 118 Mich. L. Rev. 1539 (2000); Joanna C. Schwartz & Fred O. Smith, Jr., *Civil Rights Deserts*, 139 Harv. L. Rev. 1857 (2026).

<sup>21</sup> See *infra* Part III.C.

<sup>22</sup> See *infra* notes 89-91 and accompanying text (describing the need for additional research about the magnitude of payout increases and their causes).

<sup>23</sup> For a sampling of such arguments, being deployed in New Mexico to support the rollback of a civil rights law allowing people to sue local governments for constitutional violations without the protection of qualified immunity see Clara Bates, *New Mexico State Agencies See Spike in Civil Rights Liability Insurance Rates as Public Fund Dwindles*, SANTA FE NEW MEXICAN (Oct. 23, 2025), [https://www.santafenewmexican.com/news/local\\_news/new-mexico-state-agencies-see-spike-in-civil-rights-liability-insurance-rates-as-public-fund/article\\_d5e9353d-f5c8-42b8-a0d1-498a14895045.html](https://www.santafenewmexican.com/news/local_news/new-mexico-state-agencies-see-spike-in-civil-rights-liability-insurance-rates-as-public-fund/article_d5e9353d-f5c8-42b8-a0d1-498a14895045.html); Dan Boyd, *Steady Rise in State Civil Rights Claims Draws Lawmakers’ Attention*, ALBUQUERQUE JOURNAL (Nov. 25, 2025), <https://www.abqjournal.com/news/steady-rise-in-state-civil-rights-claims-draws-lawmakers-attention/2905901>.

<sup>24</sup> See *infra* note 56 and accompanying text.

brought against them. I have previously shown that many law enforcement agencies do little to learn from lawsuits brought against them: they do not investigate lawsuits allegations as they would civilian complaints; do not gather and analyze information revealed during the course of litigation; and do not review litigation for trends in officers named or practices that provoke claims.<sup>25</sup> *Police Indemnification* and this Article show that many local governments do not keep track of how often their police officers are sued for civil rights violations, how much is paid to resolve those cases, and whether they have denied their officers indemnification.<sup>26</sup> Without this basic information, it is impossible to take informed steps to reduce constitutional violations and financial liabilities. Instead of reducing civil rights liability by curtailing the ability to sue, local governments should gather more and better information from these suits with an eye toward preventing future harms. And if local governments continue to ignore information about lawsuit allegations, and fail to keep track of litigation costs and indemnification decisions, plaintiffs should sue local governments under §1983 for their deliberate indifference.<sup>27</sup>

#### I. THE NEED FOR AN UPDATED STUDY

*Police Indemnification* reported that, from 2006-2011, in eighty-one law enforcement agencies across the country, police officers virtually never paid a penny to resolve more than 9225 success civil rights lawsuits brought against them.<sup>28</sup> In the years since its publication, the findings reported in *Police Indemnification* have been

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<sup>25</sup> See Joanna C. Schwartz, *Monell's Untapped Potential*, 125 Colum. L. Rev. 925 (2005); Joanna C. Schwartz, *Myths and Mechanics of Deterrence: The Role of Lawsuits in Law Enforcement Decisionmaking*, 57 UCLA L. Rev. 1023 (2010).

<sup>26</sup> See *infra* Part III.C.

<sup>27</sup> Such claims are described in Monell's *Untapped Potential*, *supra* note 25, at 953-62, and *infra* note 203 and accompanying text.

<sup>28</sup> See Schwartz, *supra* note 2.

relied upon in popular commentary,<sup>29</sup> case briefs,<sup>30</sup> legal scholarship,<sup>31</sup> and judicial opinions<sup>32</sup> to counteract the common narrative that lawsuits expose officers to personal financial liability, and to support calls to end qualified immunity;<sup>33</sup> create vicarious liability for local governments;<sup>34</sup> require officers to carry personal liability insurance;<sup>35</sup>

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<sup>29</sup> Jaeah Lee, *Even if Walter Scott's Family Wins in Court, the Cop Won't Pay a Dime*, Mother Jones (Apr. 10, 2015).

<sup>30</sup> See, e.g., Brief of Cross-Ideological Groups Dedicated to Ensuring Official Accountability, Restoring the Public's Trust in Law Enforcement, and Promoting the Rule of Law as Amici Curiae in Support of Petitioner, On Petition for a Writ of Certiorari to the United States Court of Appeals for the Eleventh Circuit, *Corbitt v. Vickers*, 2019 WL 758, 4801 (Dec. 20, 2019); Petition for a Writ of Certiorari to the United States Court of Appeals for the Tenth Circuit, *Martinez v. Jenneiahn*, 2023 WL 8582389 (Dec. 5, 2023).

<sup>31</sup> See, e.g., Katherine Mims Crocker, *Qualified Immunity, Sovereign Immunity, and Systemic Reform*, 71 *Duke L.J.* 1701 (2022); Richard H. Fallon, Jr., *Bidding Farewell to Constitutional Torts*, 107 *Cal. L. Rev.* 933, 979 (2019); Aaron L. Nielson & Christopher J. Walker, *Qualified Immunity and Federalism*, 109 *Geo. L.J.* 229 (2020); Jocelyn Simonson, *Copwatching*, 104 *Cal. L. Rev.* 391, 413 (2016); Fred O. Smith Jr., *Beyond Qualified Immunity*, 119 *Mich. L. Rev. Online* 121 (2021).

<sup>32</sup> See, e.g., *Nieves v. Bartlett*, 587 U.S. 391, 426 (2019) (Sotomayor, J., dissenting); *McKinney v. City of Middletown*, 49 F.4<sup>th</sup> 730, 758 (2d Cir. 2022) (Calabresi, J., dissenting); *West v. City of Caldwell*, 931 F.3d 978, 991 (9<sup>th</sup> Cir. 2019) (Berzon, J., dissenting); *B.B. v. County of Los Angeles*, 10 Cal.5<sup>th</sup> 1, 32 (Cal. 2020) (Liu, J., concurring); *Baldwin v. City of Estherville*, 915 N.W.2d 259, 299 (Iowa 2018) (Appel, J., dissenting); *Pena v. Greffet*, 110 F. Supp. 3d 1103, 1137 (D.N.M. 2015); *Thompson v. Clark*, No. 14-cv-7349, 2018 WL 3128975, at \*9 (E.D.N.Y. June 26, 2018).

<sup>33</sup> See, e.g., Madeleine Carlisle, *The Debate Over Qualified Immunity is at the Heart of Police Reform. Here's What to Know*, *Time* (June 3, 2021); Ian Millhiser, *Qualified Immunity, Explained*, *Vox* (June 3, 2020) 5:00 AM; David Brinker, *Police Officers Don't Need 'Qualified Immunity' to Do Their Jobs*, *The Oklahoman* (July 6, 2025 5:45 AM).

<sup>34</sup> See, e.g., Edward C. Dawson, *Replacing Monell Liability with Qualified Immunity for Municipal Defendants in 42 U.S.C. § 1983 Litigation*, 86 *U. Cinn. L. rev.* 483 (2018).

<sup>35</sup> See, e.g., Clark Neily, *Make Cops Carry Liability Insurance: The Private Sector Knows How to Spread Risks, and Costs*, *Cato Institute* (Mar. 29, 2018). Notably, these findings have also been used by police officials to argue that officers need not purchase liability insurance. Bruce Praet, *Should Cops Buy Liability Insurance?* *Police One* (Sept. 25, 2020 9:09 PM).

force officers to pay out of pocket when they are sued;<sup>36</sup> and make police departments pay for suits from their budgets or officers' pensions.<sup>37</sup> Despite continued reliance on the findings in *Police Indemnification*, three compelling reasons prompted this reexamination.

#### A. Given Shifts in Policing and Police Accountability

First, the data are arguably stale. *Police Indemnification* offered a snapshot of police misconduct liability costs and indemnification decisions in the years 2006-2011. Since that time, a lot has changed. #BlackLivesMatter was born following the murder of Trayvon Martin, and police killings—particularly of Black men—prompted widespread protests.<sup>38</sup> The murder of George Floyd in May 2020 spurred global criticism, calls to abolish the police, state and local legislative restrictions on the power of police to use chokeholds and no-knock warrants, and “broad agreement across the political spectrum that racism and police violence are a problem.”<sup>39</sup> By 2023, much of this fervor had died down, and commentators were debating the manner and extent to which the changes initiated in the summer of 2020 had remained.<sup>40</sup>

The years between 2006-2023 also marked significant shifts, in different directions, in the doctrine of qualified immunity. A series of

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<sup>36</sup> Paul Rosenberg, We Must Make the Police Pay: When Cops Go Too Far, They Must Feel the Pain Too, *Salon* (Mar. 9, 2015, 6:14 AM).

<sup>37</sup> N’dea Yancey-Bragg, Police Misconduct Settlements Can Cost Millions, But Departments Rarely Feel the Impact, *USA Today* (Nov. 17, 2023, 5:06 AM).

<sup>38</sup> For a description of this period see, e.g., Wesley Lowery, Black Lives Matter: Birth of a Movement, *The Guardian* (Jan. 17, 2017, 1:00 EST).

<sup>39</sup> *Opinium Research, US Political Polling: Racism in America & BLM*, at 1 (July 9, 2020). See also, e.g., Larry Buchanan, Quoc Trung Bui & Jugal K. Patel, Black Lives Matter May Be the Largest Movement in U.S. History, *N.Y. Times* (July 3, 2020) (describing the size of protests after the murder of George Floyd); Weihua Li & Humera Lodhi, Which States Are Taking on Police Reform After George Floyd?, *The Marshall Project* (June 18, 2020, 3:00 PM) (describing state police reform legislation introduced in nineteen states within a month of George Floyd’s murder).

<sup>40</sup> See, e.g., American Policing Has Changed Since George Floyd’s Murder: It Needs to Change Further, and Be Better Funded, *The Economist* (May 25, 2023); Neil Gross, 3 Years After George Floyd’s Murder, Cop Culture Still Hasn’t Changed, *Time* (May 25, 2023); Jamiles Lartey, Three Years After George Floyd’s Murder, Police Reforms Are Slow-Paced, *the Marshall Project* (June 3, 2023, 12:00 PM).

Supreme Court decisions in the 2010s bolstered the doctrine's power.<sup>41</sup> Then, in 2018, Justice Clarence Thomas's suggestion that the Court should "reconsider [its] qualified immunity jurisprudence"<sup>42</sup> inspired dozens of petitions to the Court to amend or do away with the doctrine.<sup>43</sup> The murder of George Floyd in May 2020 led to widespread calls to abolish qualified immunity,<sup>44</sup> the introduction of federal and state legislation to do away with the doctrine<sup>45</sup> and, arguably, a Supreme Court decision in November 2020 that lessened its scope.<sup>46</sup> By the end of 2023, as the calls to abolish or reform police had gotten fainter,<sup>47</sup> the Supreme Court's summary reversals of lower courts' qualified immunity denials and declinations to review lower courts' qualified immunity grants suggest the Court has no remaining qualms about the doctrine.<sup>48</sup>

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<sup>41</sup> See, e.g., Kit Kinports, *The Supreme Court's Quiet Expansion of Qualified Immunity*, 100 Minn. L. Rev. Headnotes 62 (2016).

<sup>42</sup> *Ziglar v. Abbasi*, 137 S. Ct. 1843, 1872 (2017) (Thomas, J., concurring in part and in the judgment).

<sup>43</sup> For discussions of the calls for the Supreme Court to revisit qualified immunity during this period, see, for example, Alan Feuer, *Advocates from Left and Right Ask Supreme Court to Revisit Immunity Defense*, NY Times (July 11, 2018) (describing "[a]n array of criminal justice advocates—civil libertarians, a law enforcement organization, even a group run by the industrious Koch brothers" petitioning the Supreme Court to reconsider qualified immunity); Matt Ford, *Should Cops Be Immune from Lawsuits?*, New Republic (Sept. 12, 2018) (describing a "broad, cross-ideological push against qualified immunity").

<sup>44</sup> See, e.g., Sarah D. Wire, *What is Qualified Immunity? How is George Floyd Connected?*, LA Times (May 25, 2021); Marin Kaste, *'Qualified Immunity': A Doctrine That Made it Much Harder to Sue the Police*, NPR (June 8, 2020).

<sup>45</sup> Kimberly Kindy, *Dozens of States Have Tried to End Qualified Immunity. Police Officers and Unions Helped Beat Nearly Every Bill*, Wash. Post (Oct. 7, 2021).

<sup>46</sup> For discussions of the potential impact of that Supreme Court decision, *Taylor v. Riojas*, see Katherine Mims Crocker, *The Supreme Court's Reticent Qualified Immunity Retreat*, 71 Duke L.J. Online 1 (2021). For discussion of the possible connection between *Taylor*, protests following George Floyd's murder, and state and federal legislation to abolish qualified immunity, see Joanna C. Schwartz, *The Supreme Court Is Giving Lower Courts a Subtle Hint to Rein in Police Misconduct*, The Atlantic (Mar. 4, 2021).

<sup>47</sup> See *supra* note 40 and accompanying text.

<sup>48</sup> For the Court's summary reversals of qualified immunity denials, see *City of Tahlequah v. Bond*, 595 U.S. 9 (2021) (summarily reversing 10<sup>th</sup> Circuit denial of qualified immunity); *Rivas-Villegas v. Cortesluna*, 595 U.S. 1 (2021) (summarily

The amount and type of police activity have shifted during the 2006-2023 period as well. Arrest rates, which had been in decline since the late 1990s, dropped precipitously during the covid pandemic in 2020 and remained lower than the pre-pandemic rates,<sup>49</sup> but spiked in some cities in the summer of 2020 as police arrested thousands of people protesting the murder of George Floyd.<sup>50</sup>

To put it mildly, this has been a turbulent few decades in the world of policing, police violence, government accountability, and reform. New data could offer insights about the ways these shifting dynamics may have changed the amount of lawsuit payouts or the frequency with which officers are required to pay.

### B. Given Continued Debate About Qualified Immunity

A second reason to revisit these study questions is that the frequency and extent to which officers contribute to settlements against them remains a subject of potent debate. The assumption that officers are personally financially liable for settlements and judgments against them has been a cornerstone of qualified immunity doctrine since its inception, and undergirds the rationale behind the Supreme Court's prohibition of punitive damages against municipalities in civil rights cases, as well as heightened municipal liability standards.<sup>51</sup> In 2014, *Police Indemnification* unequivocally showed that these fears of

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reversing Ninth Circuit's denial of qualified immunity); *Zorn v. Linton*, 146 S. Ct. 926 (2026) (summarily reversing Second Circuit's denial of qualified immunity). For Justice Sotomayor's eloquent objections to the Supreme Court's denials of certiorari to hear qualified immunity appeals, see, for example, *James v. Bartlet*, No. 20-997, 142 S. Ct. 4 (Mem.) (U.S. Oct. 4, 2021) (Sotomayor, J., dissenting from denial of grant of certiorari); *Cope v. Cogdill*, No. 21-783, 142 S. Cr. 2573 (Mem.) (U.S. June 30, 2022) (Sotomayor, J., dissenting from denial of grant of certiorari); *Lombardo v. St. Louis*, No. 22-510, 2023 WL 4278467, at \*1 (U.S. June 30, 2023) (Sotomayor, J., dissenting from denial of grant of certiorari); *N. S. v. Bd. of Police Commissioners*, No. 22-556, 2023 WL 4278468, at \*1 (U.S. June 30, 2023) (Sotomayor, J., dissenting from denial of grant of certiorari).

<sup>49</sup> See Council on Criminal Justice, *Who Gets Arrested in America: Trends Across Four Decades, 1980-2024* (Dec. 2025), at <https://counciloncj.org/who-gets-arrested-in-america-trends-across-four-decades-1980-2024/>.

<sup>50</sup> See Anita Snow, AP Tally: Arrests at Widespread US Protests Hit 10,000, Associated Press (June 4, 2020, 12:23 AM).

<sup>51</sup> See *supra* note 1 and accompanying text.

officer financial liability were unfounded.<sup>52</sup> Yet claims that officers could regularly and unjustly be held financially responsible for satisfying lawsuits against them have remained a potent claim in debates around police reform.

These concerns gained new life during the summer of 2020, as Congress and states across the country considered laws that would do away with qualified immunity. In the view of opponents of such legislation, qualified immunity doctrine is the only thing protecting officers from bankruptcy when they make split-second mistakes in the heat of the moment.<sup>53</sup> These same fears were echoed in state legislative hearings by union officials and government defense attorneys.<sup>54</sup> Despite the lack of data—or even a single anecdote—to support claims that officers would be bankrupted without the protections of qualified immunity for split-second, good-faith mistakes, these fears appear to have won the day; most efforts to eliminate or lessen qualified immunity introduced in response to George Floyd’s murder proved unsuccessful.<sup>55</sup>

A new wave of government accountability legislation is now making its way through state legislatures; state causes of action that could be brought against federal, state, and local officers for violations

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<sup>52</sup> See Schwartz, *supra* note 2.

<sup>53</sup> See, e.g., Billy Binion, Tucker Carlson Might Want to End Qualified Immunity if He Actually Knew What it Was, *Reason* (June 26, 2020) (reporting Carlson stated that a bill ending qualified immunity would mean that police officers “could be bankrupted, they could lose their homes.”); Editorial Board, Qualified Immunity Provides Reasonable Protection for Police Officers, *Albuquerque Journal* (Aug. 9, 2020) (“Do we really want to take a rookie Albuquerque Police Department officer working graveyard in high-crime Albuquerque, making maybe \$60,000 a year, and put his or her house on the line for doing something in response to a 911 call that in 20-20 hindsight might have been done better?”); Brian R. Marvel, Opinion: Civil Servants Are Just Trying to Do the Right Thing. Qualified Immunity Protects Them, *The San Diego Union-Tribune* (July 17, 2023, 6:01 PM) (“Public employees are trained to do their jobs to the best of their abilities and in accordance with the law, but they aren’t attorneys. It would be detrimental to the successful provision of public services to allow these civil servants to be personally liable when they have the best of intentions and reasonably believe they are acting within the law....What would it say about our society if we allow honest mistakes to result in lawsuits costing public servants their livelihoods when they are just trying to do the right thing?”).

<sup>54</sup> For a description of some of these legislative hearings, see Joanna Schwartz, *Shielded: How the Police Became Untouchable* 239-40 (Viking 2023).

<sup>55</sup> See Kindy, *supra* note 45.

of the United States Constitution prompted by federal officers' violence in Minneapolis and elsewhere.<sup>56</sup> Key to ongoing debate in state legislatures about these types of statutes will be whether qualified immunity should be allowed as a defense,<sup>57</sup> and key to answering that question is understanding the extent to which the doctrine shields officers from personal financial liability.

### C. Given New Research

Third, and finally, this study merits updating because my own understanding of the dynamics of police litigation and indemnification has developed in a few important ways since 2014. The key finding in *Police Indemnification*—that officers virtually never pay anything towards settlements and judgments against them—has been taken to mean that local virtually always agree to indemnify their officers and pay the entirety of settlements and judgments against them.<sup>58</sup> In *Police Indemnification* I counseled against drawing that conclusion, observing that indemnification is more contingent and uncertain than payout data suggest; although officers rarely pay, indemnification is

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<sup>56</sup> For a discussion of state legislation that allows suits against federal officers for violations of federal constitutional rights, see Anya Bidwell, *State Efforts to Allow Lawsuits Against Federal Officials Gain Speed*, *State Court Report* (Apr. 6, 2026); Felipe De La Hoz, *This Maine Lawsuit is Testing the Boundaries of Suing Federal Immigration Agents, Bolts* (July 7, 2026).

<sup>57</sup> See Bidwell, *supra* note 56.

<sup>58</sup> See, e.g., Nielson & Walker, *supra* note 31, at 264 (“[T]here is often little difference functionally between suits against officers in their individual capacities and suits against those same officers in their official capacities...because the government almost always indemnifies the officers.”); Noah Smith-Drelich, *The Constitutional Tort System*, 96 *Ind. L.J.* 571, 580 (2021) (“[I]ndemnification constitutes a de facto form of vicarious liability, a private tort doctrine that shifts the financial costs of wrongdoing from individual employee tortfeasors to their employers.”). For other scholarship assuming that widespread indemnification is equivalent to a de facto *respondeat superior* liability, see, for example, John C. Jeffries, J., *In Praise of the Eleventh Amendment and Section 1983*, 84 *Va. L. Rev.* 47, 50 (1998) (“In the generality of cases, constitutional tort actions against government officers are functional substitutes for direct access to government treasuries.”); David F. Hamilton, *The Importance and Overuse of Policy and Custom Claims: A View from One Trench*, 48 *DePaul L. Rev.* 723, 729-32 (1999) (arguing that “widespread” indemnification obviates the need for plaintiffs to pursue claims against municipalities).

prohibited in some places and hotly contested in some cases.<sup>59</sup> In a recent article, I further developed this analysis, arguing that police indemnification and payment decisions are best understood as the product of complex and interdependent decisions by government attorneys, union officials, and plaintiffs' attorneys.<sup>60</sup> I therefore wanted to more explicitly disaggregate the two concepts—payment and indemnification—in an updated national study.

Over the past several years, I have also developed an idea first hinted at in *Police Indemnification*—that indemnification practices and payment decisions vary by what I later dubbed the “civil rights ecosystem” in which the case arose.<sup>61</sup> In other words, whether an officer is indemnified (and whether he is required to pay) turns on a variety of factors that differ by jurisdiction, including applicable indemnification rules, the strength of the plaintiffs' bar, the strength of the union, and political and strategic decisions by government officials.<sup>62</sup> Accordingly, national statistics about the frequency with which officers contribute to settlements and judgments must be supplemented with jurisdiction-specific information about indemnification and payment trends and practices. I wanted to focus more on this type of jurisdiction-specific analysis in an updated national study.

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<sup>59</sup> Schwartz, *supra* note 2, at 915-16. See also Schwartz, *supra* note 20, at 1537 (explaining that “[a]lthough...officers virtually never contribute to the satisfaction of settlements and judgments entered against the, there is significant variation among cities' and counties' indemnification policies and practices.”); Joanna C. Schwartz, *Qualified Immunity and Federalism All the Way Down*, 109 *Geo. L.J.* 305, 332-34 (2020) (describing indemnification decisionmaking as contingent and depending on a number of different factors, even as individual officers rarely pay).

<sup>60</sup> See Schwartz, *supra* note 19.

<sup>61</sup> See Schwartz, *supra* note 20. For the earlier hint of this idea, see Schwartz, *supra* note 2, at 917 (“Variation in government indemnification practices—and other variations across jurisdictions in judges' application of qualified immunity and other doctrines, the strength of the plaintiffs' bar, city attorney practices, and community norms—may well impact whether cases are filed, how plaintiffs' lawyers frame their clients' claims, the frequency with which plaintiffs recover, and the amount plaintiffs receive. Future research should examine these distinctions to better understand regional variations in civil rights litigation practice and the extent to which §1983 doctrine achieves its deterrence and compensation goals in different parts of the country.”).

<sup>62</sup> See Schwartz, *supra* note 19.

For all of these reasons, there was a potent need to reexamine the empirical questions posed in *Police Indemnification*. This Article fills that gap.

## II. STUDY METHODOLOGY AND FINDINGS

This Part describes the methodologies employed in the 2014 *Police Indemnification* study and the current study, jurisdictions' responses, and findings regarding the two key questions posed in this study: the frequency with which officers pay when they are successfully sued, and the circumstances in which officers pay.

### A. Methodology

For the 2014 study, I sought information about police lawsuit payments from the fifty largest municipal police departments and the fifty largest law enforcement agencies across the country (which includes state and county agencies); the lists overlapped, resulting in a total of seventy departments.<sup>63</sup> For this study, I sought information from these same seventy large law enforcement agencies.<sup>64</sup>

For this study, I sent public records requests to each of these 70 departments, seeking the same records requested for the 2014 study: (1) each lawsuit resolved in the years 2018-2023 naming an officer who was an employee of the agency for conduct in the course and scope of their employment; (2) any money awarded—through settlement or judgment—in these cases; (3) any indemnification denials; (4) any money paid by officers to resolve cases against them; and (5) records reflecting the department's indemnification policies and practices.<sup>65</sup>

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<sup>63</sup> See Schwartz, *supra* note 2, at 903.

<sup>64</sup> Note that the seventy largest jurisdictions at the time of the 2014 study are different in a few respects from the seventy largest jurisdictions in the most recent census of law enforcement agencies. Compare Andrea Gardner & Kevin Scott, *Census of State and Local Law Enforcement Agencies, 2018—Statistical Tables* (Oct. 2022), <https://bjs.ojp.gov/library/publications/census-state-and-local-law-enforcement-agencies-2018-statistical-tables> [hereinafter 2018 BJS Census] and Brian A. Reaves, *Bureau of Justice Statistics, Census of State and Local Law Enforcement Agencies 2008* (2011) [hereinafter 2008 BJS Census].

<sup>65</sup> See Schwartz, *supra* note 2, at 903 (describing the records requests for the 2006-2011 study). Note that, in both studies, the language of the requests shifted to respond

As in the 2014 study, these initial requests were often the first volley in extended back-and-forths with various entities and individuals in the jurisdictions I queried.<sup>66</sup> As with the earlier study, I supplemented jurisdictions' official responses with telephone interviews and emails with government officials; interviews and emails with plaintiffs' attorneys; and Bloomberg and Westlaw searches about court filings and decisions.<sup>67</sup>

In the 2014 study, I received responsive information from 44 of the 70 large jurisdictions about both the amount paid in police misconduct cases and instances in which officers paid settlements and judgments; for this study, I received responsive information about municipal and officer payouts from 39 of the 70 large jurisdictions.<sup>68</sup> Many of the jurisdictions were consistent; responsive to both the public records requests issued for 2006-2011 and for 2018-23, or responsive to neither.<sup>69</sup> But there were also some notable differences in jurisdictions' responses to the earlier and later records requests.

For example, in both study periods, many jurisdictions made clear that they did not keep records reflecting indemnification decisions or officer contributions.<sup>70</sup> Yet officials in several jurisdictions who had

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to jurisdictions' questions or comply with state-specific public records provisions. See *id.* at 903 n.83.

<sup>66</sup> For an overview of these engagements in the 2014 study, see Schwartz, *supra* note 2, at 903. For a catalog of these engagements for this study, see Appendices H-J.

<sup>67</sup> See Schwartz, *supra* note 2, at 903; Appendices H-J.

<sup>68</sup> Jurisdictions designated "unresponsive" include jurisdictions that never responded to my public records requests; jurisdictions that refused to respond to my request because the information sought was ostensibly protected or too voluminous or burdensome to produce; jurisdictions that demanded extraordinary fees to produce responsive records; and jurisdictions that did not directly answer (or explicitly asserted they did not know) whether an officer contributed to the settlements or judgments in any cases. In a few jurisdictions that fall into this last category—notably Chicago, Los Angeles, and New York City—I drew on evidence of the departments' well-known indemnification and payment practices to locate responsive information. Accordingly, these jurisdictions, while not technically "responsive" to my requests, are included as responsive jurisdictions in this study.

<sup>69</sup> Thirty six large jurisdictions were designated "responsive" for both the 2006-2011 and 2018-2023 studies; seventeen large jurisdictions were unresponsive to requests for both study periods. See Appendix A (listing responsive large jurisdictions for the 2006-11 and 2018-23 studies).

<sup>70</sup> See *infra* note 195 and accompanying text.

been willing to provide me with indemnification and contribution information for the years 2006-2011—including Atlanta,<sup>71</sup> Boston,<sup>72</sup> Honolulu,<sup>73</sup> Las Vegas,<sup>74</sup> and Los Angeles<sup>75</sup>—reported that they could

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<sup>71</sup> Compare Police Indemnification at 991 (reporting that the assistant city attorney was “not aware of any circumstances in the period...in which individual officers contributed to any payment of claims or damage awards.”) with Email from Amber Robinson, Special Counsel, City of Atlanta Department of Law, to author (June 4, 2024) (“The Department of Law does not maintain records in its custody in a manner which would permit it to identify records which are responsive to your question [regarding any instances in which officers have been denied indemnification]; and I am unaware of any agency which would track this information.”).

<sup>72</sup> Compare Police Indemnification at 987 (reporting that the legal advisor for the Boston Police Department represented there was no case from 2006 to 2011 in which an officer was not indemnified) with Email from Ruby Theriot, Public Records Co-Op, to author Apr. 16, 2026 (“[T]here is no central record depicting cases in which officers were denied indemnification...Indemnification is decided on a case by case basis. There is no single documenting [sic] reflecting indemnification policy.”).

<sup>73</sup> Compare Police Indemnification at 989 (reporting that Honolulu officials produced a spreadsheet with information about case payouts and represented that the city indemnified every officer it represented, and only denied representation to officers who were sued for conduct outside the course and scope of their employment) with Email from Department of the Corporation Counsel to author (July 23, 2024) (reporting that it would cost \$670 to produce a spreadsheet of lawsuit payouts and reporting that it did not have information about indemnification denials). When I resubmitted the same request two years later, I was told that information about lawsuit payments would cost \$270 to produce, that the department had no information about indemnification denials, and that the Honolulu Police Commission would have information about indemnification denials. See Email from Department of Corporation Counsel to author (June 16, 2026). The Honolulu Police Commission did not respond to my requests for information.

<sup>74</sup> Compare Letter from Charlotte M. Bible, Assistant General Counsel, to author (Sept. 13, 2012) (reporting that “LVMPD has not declined to indemnify a defendant employee for compensatory damages” and “[t]here has not been a case where punitive damages have been awarded.”) with Message from LVMPD Public Records Request Portal to author (July 30, 2026, 2:31 PM) (“The Las Vegas Metropolitan Police Department (LVMPD) does not maintain any particular record containing the information you are seeking” regarding indemnification decisions and/or officer contributions and “LVMP databases cannot ‘readily compile the requested information.’”).

<sup>75</sup> Compare Police Indemnification at 983 (describing detailed information provided by Los Angeles about one indemnification denial during the 2006-2011 study period)

not (or would not) provide me with comparable information for the years 2018-2023. In response to my request for information from 2006-2011, Ohio provided information about settlement amounts in cases involving Ohio State Highway Patrol officers but no indemnification information; in response to my request for information from 2018-2023, Ohio confirmed that no officers were denied indemnification but reported that my request for records of lawsuit payouts was overly broad and sought information protected by attorney-client and trial-preparation protections.<sup>76</sup> One jurisdiction—Baltimore—that previously provided me with both lawsuit payout and officer contribution information now asserted that it could provide me with neither.<sup>77</sup>

There are any number of explanations for these shifts. Jurisdictions less willing to provide information might be wary of doing so because issues of liability and accountability have attracted more attention and become more politically salient, or because officials are more often using the threat of indemnification denials strategically during litigation.<sup>78</sup> There are also two jurisdictions—San Diego and Fairfax County—that provided more information for this study than they did for the 2014 study.<sup>79</sup> It may be that jurisdictions more willing to provide information are collecting better data now than they were a decade ago, or simply that I had the good (but random) fortune of reaching officials more willing to provide responsive information.

In the earlier study, I tested whether indemnification and payment decisions in the large jurisdictions were consistent in those in medium and small departments—which constitute the vast majority of departments across the country—by submitting the same public

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with Email from Frank Mateljian, Office of the City Attorney, CPRA Unit – General Counsel Division, to author (Sept. 20, 2024) (“[W]e do not have records in our possession responsive to your request that would accurately reflect the information you are requesting” regarding indemnification decisions).

<sup>76</sup> Compare Schwartz, *supra* note 2, at 999 and Email from Public Safety Ohio Public Records Center to author (June 20, 2024, 7:41 AM).

<sup>77</sup> See *infra* notes 197-200 and accompanying text.

<sup>78</sup> For further discussion of this possibility, see Schwartz, *supra* note 19.

<sup>79</sup> Other places deemed “responsive” for the later study but not the earlier study—including Chicago, Memphis, and Louisville did not actually provide me with additional information; instead, I was able to gather sufficient information from ancillary sources.

records requests to the same 70 mid-sized and small jurisdictions. I received information about officers contributions in 37 of those mid-sized and small jurisdictions. For this study, I submitted the same requests to the same 70 departments, and received responses from 38 of these mid-sized and small jurisdictions.<sup>80</sup> The two groups of responsive smaller jurisdictions are overlapping but not identical.

The jurisdictions in this study—like the jurisdictions in the 2014 study—are representative in a variety of respects: they range from the largest in the country (the New York City Police Department, with more than 36,000 sworn officers) to the very small (the Lennox Police Department, in South Dakota, with four sworn officers); they are located in the majority of states and every region of the country; they provide services to what would be considered politically red, blue, and purple jurisdictions; and they include city and county police departments, sheriff’s departments, and state police and highway agencies. The jurisdictions also have a range of different indemnification policies and practices: Some jurisdictions have no written policies; some jurisdictions have broad policies that require indemnification for all conduct within the scope of an officer’s employment; and some have policies that prohibit indemnification altogether.<sup>81</sup>

As in the earlier study, departments provided responses in a variety of ways: some produced spreadsheets with lawsuit payouts that included very limited information about the cases; others produced voluminous records, including complaints, briefs, and settlement agreements. Some jurisdictions provided information about all cases resolved; others produced information only about what they categorized as “civil rights” cases. Some jurisdictions appear to have

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<sup>80</sup> As in the prior study, I considered a small jurisdiction responsive if it responded to the question about officer contributions, even if it did not respond with information about the total paid in settlements and judgments.

<sup>81</sup> See, e.g., Email from Ruby Theriot, Boston Public Records Co-Op, to author (Apr. 16, 2026) (reporting that “[t]here is no single documenting [sic] reflecting indemnification policy.”); Email from Texas Department of Public Safety Records to author (May 29, 2024) (reporting that “[w]e are required by law to indemnify employees”); Telephone Interview with Betsey McKenney (Aug. 22, 2025) (reporting that Memphis has a policy of never indemnifying its officers). For a survey of variation in state indemnification laws across the country, see Nielson & Walker, *supra* note 31.

provided judgment and settlement amounts alone; others included information about plaintiffs' and defense counsels' fees and costs.

I took similar steps here that I took for the 2014 study to increase consistency across the data. When calculating "civil rights" cases, I eliminated cases that typically would not involve constitutional claims, including cases involving automobile accidents, lost property, off-duty conduct unrelated to law enforcement activities, internal employment actions, and FOIA actions. I have included cases alleging failure to accommodate disabilities or provide adequate medical treatment and care in jails. I have included plaintiffs' attorneys' fees and costs awarded after trial in my calculations when they are included in the spreadsheets—given that the costs of plaintiffs' attorneys' fees may be calculated roughly into settlement negotiations and so impact the value of plaintiffs' claims regardless of whether they are awarded separately—but have excluded fees and costs paid to defense counsel. In several instances, the jurisdictions have not themselves designated which cases are "civil rights" cases and have, instead, provided me with case names and/or numbers. I used that information to search for each case; when I could not find information about a case, I excluded it from the "civil rights" calculation. Five jurisdictions provided me with information about the amount paid in all cases resolved with payments to plaintiffs, without designating which cases are civil rights cases. In those instances, I have estimated the amount likely paid in civil rights cases based on the average spent on civil rights cases among the jurisdictions that categorized the types of cases resolved in plaintiffs' favor.<sup>82</sup> Any estimated payments are noted with asterisks in the appendices.

There is one additional calculation that caused some headaches. The focus of my study is how much police officers paid during the study period. In cases where the officer has paid nothing, or the officer has paid a prenegotiated sum, it is straightforward and sensible to count the day of the judgment or settlement as the date of payment. But in the rare cases in which indemnification is denied and the officer is required to pay, the amount of the payment and the timing of the payment can bear little or no relationship to the date and amount of the award. Indeed, there are several cases formally resolved within the 2018-2023 study period in which the amount owed and paid by the

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<sup>82</sup> See Appendix C.

officer remains an open question.<sup>83</sup> Several such cases will be discussed in this Article, but for the sake of consistency, the calculations included in the appendices report the amount paid by local governments and officers between January 1, 2018 and December 31, 2023.

As in the earlier study, the data relied upon for this study may be inaccurate for a variety of reasons. I am relying on local governments' records—and, sometimes, government officials' or plaintiffs' attorneys recollections—and each type of information may be inaccurate or incomplete. There may be some additional cases in which officers were not indemnified or contributed to settlements or judgments against them. There may be some instances in which officers agreed to satisfy part or all of a settlement or judgment but never actually cut a check. But, as in the 2014 study, my findings regarding who bears the burdens of satisfying settlements and judgments are so stark that such potential inaccuracies would not disturb the central finding; officers virtually never pay.

#### B. Rising Costs of Police Misconduct and the Rarity of Officer Payments

Despite the assumption—long made by the Supreme Court and confidently echoed by defenders of qualified immunity<sup>84</sup>—that officers are just one lawsuit away from bankruptcy, officers rarely pay anything to satisfy settlements and judgments in the lawsuits brought against them. This was true in 2006-2011, and remains true for the period from 2018-2023. This Part describes data gathered from both periods about the amount awarded (through settlement and judgments) in civil rights cases and all cases, and the amount paid by officers. These data suggest that the cost of civil rights suits and punitive damages awards have risen from 2006-2011 to 2018-2023. The amount paid by officers increased as well. But the amount paid by officers in both study periods was an exceedingly small portion of the total amount awarded to plaintiffs.

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<sup>83</sup> See, e.g., *infra* notes 154-155 and accompanying text (describing pending collection efforts against a Los Angeles County sheriff's department employee); *infra* notes 164-174 and accompanying text (describing other pending cases in which officers have been denied indemnification).

<sup>84</sup> See *supra* notes 1, 53-54 and accompanying text (describing this assumption).

### 1. The Rising Cost of Civil Rights Settlements and Judgments

Between 2018-2023, among the 39 responsive large law enforcement agencies, plaintiffs recovered approximately \$1,524,510,997 in settlements or judgments in approximately 6504 civil rights lawsuits.<sup>85</sup> In contrast, between 2006-2011, among forty-four responsive large enforcement agencies, plaintiffs recovered an estimated \$735,270,772 in approximately 9225 civil rights cases.<sup>86</sup>

These bottom line numbers do not offer an apples-to-apples comparison because the same collection of jurisdictions were not responsive to both studies. As just one example, Chicago is represented the later study but not the earlier one, and reported almost \$394 million in civil rights awards from 2018-23. But there are twenty-six jurisdictions that reported civil rights payouts for both 2006-11, and 2018-23, and their records tell a similar story.<sup>87</sup> In these twenty-six jurisdictions, the total costs of civil rights payouts increased from \$823,788,707 in 2006-2011, to \$1,492,612,464 in 2018-2023, and the number of cases in which there were payouts to plaintiffs decreased from 9595 in 2006-2011 to 6358 in 2018-23.<sup>88</sup> In all but six of these jurisdictions, the amount of civil rights lawsuits payouts increased; in all but eleven of these jurisdictions, the number of cases with payouts decreased.

What explains this increase in civil rights payouts between 2006-2011 and 2018-23? Of course, some jurisdictions may have produced inaccurate or incomplete information,<sup>89</sup> or may have counted “civil rights” cases differently in their responses to the earlier and later public

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<sup>85</sup> See Appendix A.

<sup>86</sup> See Police Indemnification at 912-13.

<sup>87</sup> See Appendix D.

<sup>88</sup> For another study of legal liability similarly finding an increase in total payouts and a decrease in claims filed, see Aurélie Ouss & John Rappaport, *Is Police Behavior Getting Worse? Data Selection and the Measurement of Policing Harms*, 49 J. Leg. Stud. 153, 156 (2020).

<sup>89</sup> As just one example, an investigation revealed that the New York City Law Department’s reports have omitted more than one billion in settlements. Kelly Grace Price, *How \$1.2 Billion in NYPD Civil Litigation Case Settlements and Monetary Awards Went Unreported*, City and State New York (Apr. 12, 2024), <https://www.cityandstateny.com/policy/2024/04/how-12-billion-nypd-civil-litigation-case-settlements-and-monetary-awards-went-unreported/395714/>.

records responses, although the consistency of increases across jurisdictions suggest that they cannot be solely attributed to data inconsistencies. The cost of inflation explains some of the increase as well: the \$823,788,707 paid between 2006-2011 by the twenty-six jurisdictions included in both study periods would be worth \$1.05 billion in 2018-2023 dollars.<sup>90</sup> And liability costs have risen in multiple areas, including auto liability and medical malpractice; although commentators disagree about the magnitude of the so-called “social inflation” that has fueled these increases, it could account for at least part of the rise in civil rights lawsuit payouts as well.<sup>91</sup> There are also several possible causes for higher payouts in civil rights cases in particular, including (but not limited to): 1) more egregious civil rights violations by officers; 2) a spike in cases and settlements related to protests following the murder of George Floyd; 3) governments’ willingness to pay more to settle cases following multi-million dollar settlements in high profile cases and/or shifting public sentiment about police; and 4) more lawyers willing to take on civil rights cases (and, so, fewer *pro se* filings). Various combinations of these and other factors may be at play, and may differ by jurisdiction. Further study should explore the causes for these shifts, and the minority of jurisdictions where the costs of civil rights lawsuits decreased.

## 2. Increases in Punitive Damages Awards

The amount of punitive damages also increased. In the 2018-2023 study period, thirty-two juries in nine of the thirty-nine large jurisdictions awarded punitive damages against officers. These punitive damages awards totaled \$37,137,930, although they were reduced post-trial to \$7,574,230 (amounting to 20.4% of their original

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<sup>90</sup> The average CPI for 2006-2011 was 213.7 and 272.3 for 2018-2023. So, converting old prices to new requires multiplying the 2006-2011 values by 1.274. Many thanks to Lucy Yang and Jonathan Rogers for assistance with this analysis.

<sup>91</sup> For reports of steep increases in payouts in personal injury, auto liability, and medical malpractice in recent years, see Jim Lynch, Dave Moore & Dale Porfilio, *Impact of Increasing Inflation on Personal and Commercial Auto Liability Insurance*, Insurance Information Institute (undated); Cary Silverman & Christopher E. Appel, *Nuclear Verdicts: An Update on Trends, Causes, and Solutions*, U.S. Chamber of Commerce Institute for Legal Reform (May 2024); Robert E. White, Jr., *Nuclear Verdicts: How Social Inflation Impacts Physicians and Patients*, The Doctors Company (Nov. 2024). But see Kenneth S. Klein, *The First Thing We Do Is Kill All the Lawsuits*, 44 Rev. Lit. 47 (2024) (arguing that insurers’ claims of a litigation crisis caused by “social inflation” are overstated).

value). The largest punitive damages judgment was \$20 million, awarded against an Atlanta police officer and reduced post-trial to \$1 million. The median punitive damages jury award (pre-reduction) was \$90,000 and the average punitive damages jury award (pre-reduction) was \$1,160,420. In contrast, in the 2006-2011 study, twenty juries in nine large jurisdictions awarded punitive damages totaling \$9,312,422, and reduced post-trial to \$3,991,900 (amounting to 42.9% of their original value). The largest punitive damages judgment was \$4,005,522, awarded against a California Highway Patrol officer and reduced post-trial to \$55,000. During that period, the median punitive damages jury award was \$12,500 and the average pre-reduction punitive damages award was \$490,085.

Again, the 2006-2011 and 2018-2023 data collected on punitive damages does not allow for an apples-to-apples comparison. Three jurisdictions with punitive damages awards that are represented in the later study were not included in the earlier study. Those jurisdictions—Chicago, Louisville, and San Diego—account for ten of the punitive damages awards in the later study, totaling \$2,196,730. And two of the jurisdictions with punitive damages awards in the earlier study—Las Vegas and Prince George’s County—were not included the later study, and account for two of the twenty awards and \$1.18 million in punitive damages awards. If these five jurisdictions are removed from the punitive damages calculations, so that the two studies include the same group of jurisdictions, the disparity between punitive damages awards in the two study periods remains. By this amended calculation, in 2018-2023, juries awarded \$35,168,700 in punitive damages in twenty-two cases (reduced to \$7,574,230), with a (pre-reduction) median award of \$223,750 and an (pre-reduction) average award of \$2,360,592; in 2006-2011, juries awarded \$8,131,122 in punitive damages in eighteen cases (reduced to \$2,866,900), with a (pre-reduction) median award of \$12,500 and a (pre-reduction) average award of \$478,331.

As with the increase in total civil rights damages awards, there are several possible causes for this increase in punitive damages awards, including errors in the data, the cost of inflation,<sup>92</sup> and the cost of “social inflation” that may explain larger verdicts in all types of tort

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<sup>92</sup> Adjusted for inflation, the 2006-2011 punitive damages awarded would be \$10,359,049 (reduced to \$3,652,431) in 2018-2023 dollars.

cases.<sup>93</sup> There may also be explanations specific to police misconduct cases, including: 1) more intentional and/or reckless misconduct by officers; 2) plaintiffs' attorneys more regularly seeking punitive damages awards and/or encouraging juries to award punitive damages; and 3) juries deciding to award more in punitive damages as a punishment for individual officers' misbehavior or a reflection of shifting community views of police.<sup>94</sup>

### 3. Officers' Increased (But Still Rare) Payments

There was also a notable increase in the total amount paid by officers. From 2006-2011, in 37-39 civil rights cases, 38-40 officers paid a total of \$151,300-171,300.<sup>95</sup> From 2018-2023, in 26-27 civil rights cases, 35-36 officers paid a total of \$578,245.<sup>96</sup> In Part II.E, I offer possible explanations for this increase in the total amount paid by officers. But, despite this shift, officers in both studies virtually never pay anything to resolve lawsuits brought against them, measured in multiple ways.

Between 2006-2011, officers were required to contribute to settlements or judgments in civil rights cases between three and five of the forty-four jurisdictions in my study. Between 2018-2023, officers were required to contribute to settlements or judgments in civil

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<sup>93</sup> See *supra* notes 89-91 and accompanying text.

<sup>94</sup> See Valerie P. Hans, What's It Worth? Jury Damage Awards as Community Judgments, 55 *William & Mary L. Rev.* 935 (2014).

<sup>95</sup> In the 2014 study, there were two jurisdictions—Jacksonville and the Illinois State Police—in which officers *may* have contributed to a settlement during the study period. See Schwartz, *supra* note 2, at 912. A Jacksonville official remembered that the officer's contribution was between \$5,000 and \$20,000 (but did not remember when the payment was made) and the Illinois State Police official had no information about the facts of the case, the amount the officer paid, or the date the case was resolved. See *id.*

<sup>96</sup> There are two additional cases in which officers may have been required to contribute: one Illinois State Police officer may have been required to contribute to the settlement a case involving sexual assault and harassment of another officer, and one New Jersey State Police officer may have contributed to a settlement in an excessive force case brought by a pro se prisoner. Because I have categorized all employment-related suits as non-civil-rights cases, the Illinois State Police case is not included in these calculations, but is included in the estimations of officer payments in all types of cases, *infra*.

rights cases in between six and seven of the thirty-nine large jurisdictions in my study.

In both study periods, officers contributed to a miniscule portion of civil rights settlements and judgments against them. From 2006-2011, officers contributed to 37-39 of the 9225 civil rights cases resolved in plaintiffs' favor, amounting to approximately 0.41% of those cases. From 2018-2023, officers contributed to 26-27 of the approximately 7065 civil rights cases with payments to plaintiffs, amounting to approximately 0.38% of those cases.

In both periods, officers' contributions were a minute portion of the entirety paid to resolve civil rights suits. In the 2006-2011 study period, officers paid \$151,300-\$171,300 of the more than \$735 million awarded to plaintiffs; approximately 0.02% of total dollars paid. Similarly 2018-2023, in the thirty-nine responsive jurisdictions, officers paid approximately \$578,245 of the more than \$1.5 billion awarded to plaintiffs; approximately 0.04% of total dollars paid.

In both studies, officers' payments were minimal even in jurisdictions that required officers to contribute. Officers paid the most in Los Angeles County, measured both by total dollars and as a percentage of the total amount paid; yet the \$371,000 paid by two officers amounts to only 0.1% of the city's total payments in civil rights cases involving sheriff's deputies during the six-year study period. Six Chicago officers paid \$127,000 plus "a couple hundred dollars" to resolve punitive damages verdicts against them, amounting to just 0.03% of the total paid by the City of Chicago to resolve cases involving its police officers from 2018-2023. The \$7,500 paid by one Cleveland police officer for an off-duty shooting amounts to 0.02% of the total paid by Cleveland during the study period. And contributions by officers in San Diego and New York City amount to just .01% of the total paid by each city to resolve cases against its officers during the six-year study period.

Both studies focus on officers' protection from liability in civil rights cases, as these are the types of cases that are typically the focus of debate about whether and to what extent officers do (and should) bear financial responsibility when they are sued. But, in both studies, officers were even more likely to be shielded in cases that do not allege civil rights violations. In the 2006-2011 study, there was no non-civil-

rights case in which an officer was required to contribute.<sup>97</sup> In this study, there is one case in which an officer was denied indemnification and *may* have contributed that is not categorized as a civil rights case because it involved an employment-related dispute. The thirty-nine jurisdictions in this study paid an estimated \$2.79 billion to resolve all cases against their officers; the \$578,245 paid by officers amounts to 0.02% of that total.

At least thirty-four of the largest jurisdictions in my study did not require an officer to contribute to a settlement or judgment during the 2018-2023 study period; in the 2006-2011 study period, at least thirty-nine large jurisdictions did not require their officers to pay anything to resolve a suit against them. Twenty-six jurisdictions confirmed no officer payments over the twelve years that encompass both study periods.<sup>98</sup>

Officers were also exceedingly unlikely to pay anything toward settlements and judgments in small and midsized jurisdictions. In the 2006-2011 study, none of 8141 officers in the thirty-seven responding smaller departments contributed to a settlement or judgment against them. In the 2018-2023 study, I learned of just one officer among the 7,201 employed by the thirty-eight responding smaller jurisdictions who was denied indemnification.<sup>99</sup>

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<sup>97</sup> See Police Indemnification at 914.

<sup>98</sup> Those jurisdictions include: California Highway Patrol; Cook County Sheriff's Office; Texas Department of Public Safety; New Jersey State Police; Riverside County Sheriff's Department; San Antonio Police Department; San Francisco Police Department; Columbus Police Department; North Carolina State Highway Patrol; San Bernardino County Sheriff's Department; Orange County Sheriff's Department; Michigan State Police; Charlotte-Mecklenberg Police Department; Jacksonville Sheriff's Department; Broward County Sheriff's Office; Denver Police Department; Austin Police Department; Fort Worth Police Department; Kansas City Police Department; San Jose Police Department; Seattle Police Department; Montgomery County Police Department; El Paso Police Department; Oklahoma City Police Department; Albuquerque Police Department; and Tampa Police Department.

<sup>99</sup> See Letter from Marta A. Modigliani, to author (Oct. 1, 2024) (describing one case in which an officer was denied indemnification, and noting that she had no information about the resolution of claims against that officer). Efforts to learn whether that officer ultimately contributed to the resolution of the case were unsuccessful.

### C. The Practical Irrelevance of Indemnification Prohibitions

Commentators have assumed that officers will be denied indemnification when it is prohibited by law or police.<sup>100</sup> In *Police Indemnification*, I reported that police officers rarely paid anything even when jurisdictions prohibited indemnification to all officers, or declined officers indemnification in individual cases.<sup>101</sup> In this study, I find a similar disjunction between formal indemnification rules and decisions and officers' payment obligations.

In both studies, jurisdictions with policies of never indemnifying their officers regularly agreed to settle cases on their officers' behalf. This is, for example, the practice in El Paso.<sup>102</sup> In the view of the El Paso city attorney, paying a settlement on an officer's behalf is not the same as indemnifying a judgment against them.<sup>103</sup> This has also been the practice in Memphis for decades.<sup>104</sup> As a result, no El Paso or Memphis officer contributed to a settlement or judgment during the study periods, despite the official policies prohibiting indemnification in both cities.

Chicago has a policy of never paying punitive damages awards entered against their officers.<sup>105</sup> Yet Chicago has repeatedly settled

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<sup>100</sup> See, e.g., Richard Frankel, *Regulating Privatized Government Through §1983*, 76 U. Chi. L. Rev. 1449, 1455-56 (2009) (observing that officers are not certain to be indemnified because "indemnification clauses often do not cover bad faith behavior" and "exclude intentional, reckless, or malicious conduct"); Daniel J. Meltzer, *State Sovereign Immunity: Five Authors in Search of a Theory*, 75 Notre Dame L. Rev. 1001, 1019-20 (2000) (contending that government officers are not always indemnified because "employees or agencies may (advertently or otherwise) be excluded; indemnification may be permissive rather than mandatory (though admittedly a routine practice of permissive indemnification may blunt any distinction); some states impose monetary limits on indemnification; and many indemnification provisions exclude conduct that is criminal, egregious, willful, or the like." (citations omitted)).

<sup>101</sup> Schwartz, *supra* note 2, at 918-23.

<sup>102</sup> See *id.* at 919.

<sup>103</sup> *Id.*

<sup>104</sup> See Telephone Interview with Memphis defense attorney Betsy McKinney (August 22, 2025) (notes on file with author).

<sup>105</sup> Email from Lexie Heinemann, Public Relations Representative, Chicago Department of Law, to author (May 6, 2026).

cases post-trial, even when punitive damages were awarded, with officers paying nothing.<sup>106</sup> Atlanta's indemnification policy limits indemnification to \$2,000 per case.<sup>107</sup> Yet Atlanta paid tens of millions of dollars in 2006-2011 and 2018-23 to resolve cases against their officers in increments far exceeding \$2,000.<sup>108</sup> San Bernardino denied indemnification to two officers who orchestrated a fight between inmates; both officers were criminally prosecuted.<sup>109</sup> Yet San Bernardino paid \$10,000 to settle the case<sup>110</sup> with no payment by the officers.<sup>111</sup>

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<sup>106</sup> For example, in 2018, in *Rivera v. Guevara*, 12-cv-4428, the jury awarded plaintiff \$17 million in compensatory damages and a total of \$175,000 in punitive damages against three officers. See Notification of Docket Entry (6.29.18), *Rivera v. Guevara*, no. 12-cv-4428 (N.D. Ill. June 7, 2012). The case settled for \$18.75 million, paid by the city, with no contribution by the officers. Release, Satisfaction of Judgment, and Settlement Agreement, *Rivera v. Guevara*, No. 12-cv-4428 (7<sup>th</sup> Cir. Mar. 25, 2020). In 2018, in *Kuri v. Folino*, 13-cv-1653, the jury awarded \$4 million in compensatory damages and a total of \$50,000 in punitive damages against two officers. Minute Entry (10.2.18), *Kuri v. Folino*, 13-cv-1653 (N.D. Ill. Mar. 4, 2013). The case settled post-trial with no payment by the officers. Email from David Owens to author (May 1, 2026). In 2017, in *Williamson v. City of Chicago*, 14-cv-6397 (Aug. 19, 2014), three plaintiffs were awarded a total of \$4,750,000, including \$500,000 in punitive damages against three officers. The officers did not pay the punitive damages award; the parties settled post-verdict and as a condition of the settlement the plaintiff agreed to dismiss the punitive damages award. See Email from Jeff Neslund to author (Apr. 29, 2026). In 2016, in *Fields v. City of Chicago*, 10-cv-1168 (N.D. Feb. 22, 2010), a jury awarded \$22 million in compensatory damages and \$40,000 in punitive damages against two officers. The case settled post-trial with no payment by the officers. Email from David Owens to author (Apr. 29, 2026).

<sup>107</sup> Atlanta Municipal Code §2-783(h)(1), [https://library.municode.com/ga/atlanta/codes/code\\_of\\_ordinances?nodeId=PTIIC\\_OORENOR\\_CH2AD\\_ARTVIIIOFEM\\_DIV1GE\\_S2-783DECILI](https://library.municode.com/ga/atlanta/codes/code_of_ordinances?nodeId=PTIIC_OORENOR_CH2AD_ARTVIIIOFEM_DIV1GE_S2-783DECILI).

<sup>108</sup> See Appendix A (reporting \$3,451,345 paid by the city of Atlanta from 2018-2023 in 10 civil rights cases, averaging \$345,134 per case); Schwartz, *supra* note 2, at 963 (reporting almost \$10.5 million paid by the city of Atlanta from 2006-2011 in 29 cases, averaging \$360,902 per case).

<sup>109</sup> Alejandra Reyes-Velarde, Two San Bernardino County Deputies Face Felony Charges Over Jailhouse Fight, L.A. Times (May 23, 2019).

<sup>110</sup> Email from Laura Feingold to author (July 14, 2024) (appending spreadsheet reflecting two officers denied indemnification).

<sup>111</sup> Joint Stipulation to Dismiss Action With Prejudice, *Martinez v. County of San Bernardino*, No. 5:19-cv-2057 (C.D. Cal. Oct. 25, 2019) (filed Dec. 16, 2020).

Conversely, dozens of New York City police officers contributed thousands of dollars to settlements over the course of the two study periods despite the fact that the city's indemnification policy does not contemplate these types of contributions.<sup>112</sup> A San Diego officer contributed \$1,000 to a settlement despite the fact that California law requires that officers be indemnified for all conduct taken in the course and scope of employment, and the city did not deny the defendant officer indemnification or argue that she was acting outside the course and scope.<sup>113</sup>

#### D. Indemnification of Officers Disciplined, Terminated, and Prosecuted

Commentators have assumed that officers will be denied indemnification when they have engaged in especially egregious misbehavior or have been fired or prosecuted for their conduct.<sup>114</sup> In *Police Indemnification*, I reported many instances in which officers who were disciplined, fired, or prosecuted nevertheless were indemnified during the years 2006-2011.<sup>115</sup> In the 2018-2023 study period, as in the earlier study period, many officers who engaged in egregious misbehavior were entirely shielded from financial liability.

In “one of the darkest chapters in the Baltimore Police Department’s (BPD) history,” a group of officers in the city’s gun trace

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<sup>112</sup> See N.Y. Gen. Mun. Law §50-k(3) (McKinney 2014) (providing that the city will either indemnify an employee for the entire amount of the settlement or judgment, or will deny indemnification altogether). See also *supra* note 19 (describing New York City’s practices).

<sup>113</sup> See Settlement Agreement, *Hychko v. City of San Diego*, Sup. Ct. A. 37-2016-5845.

<sup>114</sup> See, e.g., Howard Friedman, *To Protect and Serve?*, 47 *Trial* 14, 16 (Dec. 2011) (“[I]ndemnification is unlikely...where the officer was found guilty of criminal conduct against a plaintiff....Similarly, if a department terminates an officer for his or her actions toward a plaintiff, the department may refuse indemnification”); John C. Jeffries, Jr., *In Praise of the Eleventh Amendment and Section 1983*, 84 *Va. L. Rev.* 47, 50 (1998) (hypothesizing that officers “who become targets of criminal prosecution are unlikely to receive financial subvention for civil liability”); Barry C. Scheck, *Criminal Prosecution and Section 1983*, 16 *Touro L. Rev.* 895, 902-03 (2000) (“You can almost certainly be assured indemnification will not occur in most of these instances where a police officer is convicted”).

<sup>115</sup> Schwartz, *supra* note 2, at 923-25 (describing these cases).

task force robbed people, planted evidence, and lied about the hours they worked;<sup>116</sup> eight officers were convicted of racketeering, robbery, extortion, and fraud, and sentenced to a total of 112 years in prison.<sup>117</sup> Since 2021, there have been forty-one settlements in cases involving Baltimore's Gun Trace Task Force, resulting in \$22,935,073 paid to victims, with no contributions by the officers.<sup>118</sup>

In Atlanta, off-duty police officer Oliver Simmonds shot and killed D'etrick Griffin, a teenager who tried to steal his car at a gas station. Officer Simmonds was indicted by a grand jury on charges of felony murder, aggravated assault, and two counts of violation of oath by a public officer.<sup>119</sup> Immediately after the shooting, Simmonds was placed on a "non-enforcement assignment," and was suspended without pay after being indicted.<sup>120</sup> The officer was acquitted at trial and retired from his job before his scheduled "emergency hearing" about his employment.<sup>121</sup> Simmonds escaped financial responsibility as well: The City of Atlanta paid \$1.475 million to settle the case brought by Griffin's family and another \$350,000 to settle the case brought by a woman who was hit by the car driven by the teen; Simmonds paid nothing.<sup>122</sup>

An Oklahoma City police officer, Daniel Holtzclaw, was convicted and sentenced to 263 years in prison on eighteen counts of rape, sexual

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<sup>116</sup> For an in-depth description and assessment, see Steptoe Investigative Team, *Anatomy of the Gun Trace Task Force Scandal: Its Origins, Causes, and Consequences* (Jan. 2022).

<sup>117</sup> Shelley Orman, *Where Are They now? Follow-Up on Gun Trace Task Force After HBO Show Airs*, NBC24 News (May 4, 2022, 5:22 PM).

<sup>118</sup> City of Baltimore Office of the Comptroller, *Gun Trace Task Force Settlement Tracker*, <https://gttfbaltimore.herokuapp.com/> (last visited July 22, 2026).

<sup>119</sup> Jessica Moore, *APD Officer Indicted on Murder Charges in Connection to Teen's Shooting Death in 2019*, 11Alive (Oct. 28, 2022).

<sup>120</sup> Gabriella Nunez, *Death of D'etrick Griffin: Atlanta Officer Indicted in Teen's Murder Retires from Police Force*, 11Alive (Nov. 22, 2022).

<sup>121</sup> *Id.*

<sup>122</sup> See email from Zack Greenamyre to author (May 7, 2026 10:28 AM); Email from Zack Greenamyre to author (May 7, 2026 11:00 AM).

battery, and other sex offenses committed while on duty.<sup>123</sup> Holtzclaw's victims—ranging from a 17-year-old to a 57-year-old grandmother—all Black women, were apparently targeted because they had criminal records, were sex workers, and/or were using drugs.<sup>124</sup> Oklahoma City settled lawsuits brought by nine of Holtzclaw's accusers for \$18,500 each, totaling \$166,500.<sup>125</sup> Officer Holtzclaw paid nothing.

In San Jose, an officer was fired and prosecuted (resulting in two hung juries) for raping a woman who had called the police during a domestic dispute with her husband; the officer drove the woman to the hotel she previously worked and then raped her in her hotel room.<sup>126</sup> The city of San Jose paid \$250,000 to settle the case with no contribution by the former officer.<sup>127</sup>

The State of California paid \$4.5 million to settle a case brought by a woman who was sexually assaulted by a California Highway Patrol officer who later followed her home and assaulted her again.<sup>128</sup> The officer was fired for this conduct, although the attorney general declined to prosecute.<sup>129</sup> There was no contribution by the officer.<sup>130</sup>

I could go on. The Henry A. Wallace Police Crime Database estimates 20,711 criminal arrests of law enforcement officers from the years 2005-2021 involving 16,758 individual officers.<sup>131</sup> Phillip

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<sup>123</sup> Phil Helsel, Oklahoma City Cop Daniel Holtzclaw Found Guilty of Rapes, NBC News (Dec. 10, 2015); Ken Miller, Oklahoma Court Upholds Sentence for Ex-Cop Convicted of Rape, AP News (Aug. 1, 2019).

<sup>124</sup> Jessica Lussenhop, Daniel Holtzclaw Trial: Standing with 'Imperfect' Accusers, BBC (Nov. 13, 2015).

<sup>125</sup> Nolan Clay, OKC Settles with 9 Women Who Made Accusations Against Ex-Police Officer Daniel Holtzclaw, The Oklahoman (Feb. 7, 2023).

<sup>126</sup> ABC7, San Jose Police Officer Charged with Raping Women While on Duty (Mar. 24, 2014).

<sup>127</sup> Grace Hase, San Jose Considers \$225,000 Payout for Woman Allegedly Raped by SJPd Officer, San Jose Inside (Dec. 16, 2019).

<sup>128</sup> Richard Winton, Woman Who Says CHP Officer Sexually Assaulted Her, Followed Her Home to Get \$4.5 Million, LA Times (Nov. 17, 2021).

<sup>129</sup> *Id.*

<sup>130</sup> *Id.*

<sup>131</sup> The Henry A. Wallace Police Crime Database, at <https://policecrime.bgsu.edu/> (last visited July 22, 2026).

Stinson, who has been tracking police prosecutions since 2005, has learned of 204 state and local law enforcement officers arrested for murder or manslaughter while on duty.<sup>132</sup> And there have undoubtedly been thousands more officers disciplined or fired for misconduct during this period. The infrequency with which officers contribute to settlements and judgments against them makes clear that the vast majority of officers criminally charged or fired are not denied indemnification.

#### E. When Officers Pay

Although officers very rarely contributed to settlements and judgments against them in both study periods—whether measured by the number of jurisdictions in which such payments are made, the total number of cases in which officers made payments, or the total dollars paid by officers—there are exceptions to this rule. This Part describes those exceptions, reports an increase in officer payments in the later study period, and observes that this increase is attributable to a small handful of cases in which officers were denied indemnification and plaintiffs and their attorneys pursued collections against unindemnified officers.

In the 2006-2011 study, I learned of between 37-39 cases in three to five jurisdictions—New York City, Cleveland, Los Angeles, and possibly Jacksonville and Illinois—in which officers were required to pay something to satisfy settlements and judgments against them.<sup>133</sup> In the 2018-2023 study, I learned of 26-28 cases in six to eight jurisdictions in which officers were required to pay. Three of the five jurisdictions with confirmed or possible officer contributions in the earlier study also required officers to pay during the later study period—New York City, Cleveland, and, possibly, the Illinois State Police. In addition, officers in the later study period made payments to resolve civil rights cases in Atlanta, Chicago, Los Angeles County, San

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<sup>132</sup> German Lopez, *While Police Officers Are Rarely Prosecuted*, Vox (Apr. 2, 2021).

<sup>133</sup> See *infra* note 95 and accompanying text (describing the possibility of officer payments by Illinois State Police and Jacksonville Sheriff officers during the 2006-2011 time period).

Diego, and, possibly, the New Jersey State Police.<sup>134</sup> In both study periods, the vast majority of cases with officer contributions arose in New York City: 34 of the 37-39 cases in the earlier study, and 19 of the 26-28 cases in the later study.

The types of cases in which officers were made to contribute in 2006-11 and 2018-23 involved similar allegations of misconduct.<sup>135</sup> Most cases with officer payments in both study periods concerned excessive force, false arrest, and/or abuse of process (including discouraging a plaintiff from filing a civilian complaint or fabricating evidence), and sexual assault. In both study periods, officers were required to contribute when they were alleged to have used their law enforcement powers to advance personal vendettas. In both study periods, some contributing officers were off-duty when they engaged in the misconduct the prompted the suits.

In both study periods, local governments paid the vast majority of dollars awarded to plaintiffs even in cases with officer contributions. In 2006-2011, local governments paid 95.5% of the total awarded to plaintiffs in cases with officer contributions.<sup>136</sup> In 2018-2023, despite the increase in total dollars paid by officers, local governments paid 96.4% of the total awarded to plaintiffs in cases with officer contributions.<sup>137</sup>

Despite relative consistency in the types of cases in which officers paid, and the continued modesty of officer payments as compared to plaintiffs' total awards, there was a notable increase in the total amount paid by officers from the 2006-2011 study to the 2018-2023 study. For the 2006-2011 study period, I learned of 38-40 officer payments totaling \$151,300-171,300. For the 2018-2023 study period, I learned of 35-36 officer payments totaling at least \$578,245. The median officer payments in both studies were nearly identical; \$2,250 in the

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<sup>134</sup> Chicago and San Diego were not responsive jurisdictions in the earlier study period, and so may have had officer contributions during that period, as well.

<sup>135</sup> See Appendix F (describing the cases in the 2018-2023 study in which officers paid); Schwartz, *supra* note 2, Appendix H (describing the cases in the 2006-2011 study in which officers paid).

<sup>136</sup> See Schwartz, *supra* note 2, at 981 (reporting a total of \$3,338,805 paid to plaintiffs in cases with officer contributions of \$151,000-\$171,300).

<sup>137</sup> See Appendix F (reporting a total of \$15,921,610 paid to plaintiffs in cases with officer contributions of \$578,245).

earlier period and \$2,000 in the later period.<sup>138</sup> But the average payment in the later period (\$16,479) is about four times larger than the median payment in the earlier study (\$4,194).<sup>139</sup> And the largest payment by any one officer in the later period (\$296,000) is more than 10 times the largest payment by an officer in the earlier period (\$25,000).

As with all the data reported in this study, these have limitations; there are additional cases in both study periods in which officers *may* have paid something but neither the jurisdiction nor the plaintiffs' attorneys responded to my requests for information. And there may be some settlements reflecting officer payments that were never ultimately made (or were paid by unions instead of the officers themselves). Nevertheless, these data reflect relatively consistent officer contributions, amounting to a small percentage of the total payouts to plaintiffs in these cases, with a spike in officer payouts at the highest end.

There also appears to be a very limited, but noteworthy, shift in the manner in which these officer payments came about. In all but one of the cases during the 2006-2011 study period in which an officer was required to make a payment, and in the vast majority of cases during the 2018-2023 study period in which an officer was required to make a payment, those payments were negotiated by the parties as a condition of settlement. In both study periods, officers' negotiated settlement contributions are modest and relatively consistent.<sup>140</sup> The shift is in the small handful of cases in which officers are denied indemnification post-trial. In the earlier study period, there was just one such case—Los Angeles did not indemnify an officer for a \$300 punitive damages verdict, and the plaintiff never even tried to collect the money from the officer.<sup>141</sup> During the second study period, in contrast, there are five cases from three jurisdictions—Los Angeles

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<sup>138</sup> Schwartz, *supra* note 54, at 83.

<sup>139</sup> *Id.*

<sup>140</sup> In the earlier study period, all but one of the 38-40 officer payments were part of settlements negotiated pre-trial; the median of these payments was \$2,500 and mean was \$4,385. In the later study period, 26 of the 35-36 officer payments were part of settlements negotiated pre-trial; the median of these payments was \$1,000 and the mean was \$2,669.

<sup>141</sup> Schwartz, *supra* note 2, at 928-29.

County, Chicago, and Atlanta—in which nine officers were denied indemnification and plaintiffs’ attorneys pursued collections against those nine officers post-trial. These post-trial payments account for more than \$508,000 of the \$578,245 paid by officers from 2018-2023.

These five cases are clearly outliers among the responding jurisdictions, and even among the cases in Los Angeles County, Chicago, and Atlanta. It would be overreaching describe them as anything resembling a trend. Nevertheless, officers’ payments in these cases resulted from a consistent set of conditions: a jurisdiction that denied their officer indemnification (and did not merely threaten denial to gain strategic advantage)<sup>142</sup>; a plaintiff (and plaintiff’s attorney) willing to pursue collections against an unindemnified officer; and an officer with resources that can be collected. Following are descriptions of how these officer payments came to be in each jurisdiction.

*Los Angeles County.* In the 2018-23 period, the two largest officer contributions—by far—were collected against Los Angeles County sheriff’s deputies. As a matter of California law, jurisdictions must indemnify their officers for compensatory damages awards and *may* indemnify their officers for punitive damages awards (so long as the defendant’s conduct was within the course and scope of their employment).<sup>143</sup> In the *Police Indemnification* study, I noted that Los Angeles County historically indemnified their deputies for both compensatory and punitive damages awards, but that the county’s risk manager had begun arguing against “blanket indemnification.”<sup>144</sup> In that study, I described two cases—still pending at the end of the 2006-2011 study period—in which sheriff’s deputies had been denied indemnification, and observed that these cases might “reflect the county’s increasing reluctance to indemnify.”<sup>145</sup>

This study suggests that Los Angeles County’s move away from “blanket indemnification” has continued. During the 2018-2023 study period, there were two cases in which punitive damages judgments were entered against county deputies. In one, *Holmes v. Harris*, a jury

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<sup>142</sup> C.f. *id.* at 931-36 (describing the threat of indemnification denials used for strategic ends during litigation).

<sup>143</sup> Cal. Govt. Code § 825 (2025).

<sup>144</sup> Schwartz, *supra* note 2, at 930.

<sup>145</sup> *Id.* at 931.

awarded \$765,952 in compensatory damages and \$1.5 million in punitive damages against a deputy who maliciously prosecuted her next-door neighbor as part of a long-running personal dispute.<sup>146</sup> The county agreed to pay the compensatory damages award and the plaintiff's attorneys' fees, but not the punitive damages award.<sup>147</sup> In the other, *Rodriguez v. County of Los Angeles*, a jury found nineteen sheriff's department employees liable for violating the constitutional rights of prisoners during cell extractions, and awarded \$740,000 in compensatory damages and \$210,000 in punitive damages against five supervisory defendants.<sup>148</sup> Los Angeles County authorized the payment of punitive damages on behalf of four of the five defendants, but denied indemnification of the \$75,000 in punitive damages awarded against former-Captain Daniel Cruz.<sup>149</sup> Former-Captain Cruz had been fired for misconduct while supervising the troubled Men's Central Jail,<sup>150</sup> but the fact of his firing was not, apparently, the determining factor in the board's decision to deny indemnification: The board indemnified a \$35,000 punitive damages award against former-Captain Cruz in a another brutality case two years before they

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<sup>146</sup> *Holmes v. Harris*, Joint Revised Judgment After Jury Verdict, 18-cv-3739 (C.D. Cal. July 11, 2019). The district court affirmed the jury's verdict, refusing to grant remitter on the punitive damages award because the court agreed with the jury that defendant's "wrongful arrest of an innocent person under the authority of her position...[was] reprehensible conduct." *Holmes v. Harris*, 18-cv-3739, 2019 WL 12070347 (C.D. Cal. Oct. 4, 2019). The Ninth Circuit affirmed. *Holmes v. Harris*, 845 Fed. App. 604 (9<sup>th</sup> Cir. 2021).

<sup>147</sup> Email from Caleb Mason to author (June 4, 2026 11:42 AM). The defendant has a pending case against the county, alleging that her attorneys, funded by the county, inaccurately told her that she would not be held personally responsible and that she would have taken different action in the litigation had she known her finances were in jeopardy; that case remains pending. See Complaint for Damages, *Harris v. County of Los Angeles*, Superior Court of the State of California, County of Los Angeles, 20-STCV-47735 (Dec. 14, 2020).

<sup>148</sup> *Rodriguez v. County of Los Angeles*, 891 F.3d 776 (9<sup>th</sup> Cir. 2018). The jury entered its verdict in 2014, but I have included this case in this study because the award was affirmed (and collected upon) during the 2018-23 study period.

<sup>149</sup> Statement of Proceedings for the Regular Meeting of the Board of Supervisors of the County of Los Angeles, at 67 (Oct. 1, 2019).

<sup>150</sup> For a description of former-Captain Cruz's firing, see Celeste Fremon, Former Men's Central Jail Captain Dan Cruz Relieved of Custody, LA Witness (Nov. 10, 2011).

denied him indemnification in *Rodriguez*, and six years after they fired him.<sup>151</sup>

Importantly, Los Angeles County's decisions to deny its deputies indemnification for punitive damages awards did not automatically translate into deputy payments. Instead, plaintiffs and their attorneys had to take action to collect against the unindemnified deputies. After the county declined to indemnify the punitive damages award against former-Captain Cruz in *Rodriguez*, the plaintiff's attorney pursued collections; after putting a lien on his real estate, Cruz paid the \$75,000 the plaintiff was owed.<sup>152</sup> After the \$1.5 million punitive damages verdict in *Holmes v. Harris* was upheld, the plaintiff's trial attorney brought in counsel who specializes in insolvency litigation to help collect on the judgment.<sup>153</sup> As of December 31, 2023, lawyers for Holmes had recovered \$296,000: approximately \$65,000 from the sale of two vehicles; approximately \$60,000 in wage garnishments; approximately \$5,000 from a bank levy; and approximately \$166,000 from foreclosure on the defendant's home.<sup>154</sup> The plaintiff and her lawyers are continuing to pursue collections against the deputy, who remains employed by the county.<sup>155</sup>

*Chicago.* Chicago has a policy of never indemnifying punitive damages awards entered against its officers.<sup>156</sup> This policy does not prohibit the city from entering global settlements post-trial that resolve the punitive damages award; there are several such settlements confirmed during the 2018-23 study period.<sup>157</sup> But there are two instances in this study period in which plaintiffs have collected a portion of punitive damages awards entered against Chicago officers. In one, *Wrice v. Byrne*, a wrongful conviction case, the jury awarded \$6 million in compensatory damages and \$1.2 million in punitive damages. Plaintiffs' counsel reports that one of the officers paid a "few

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<sup>151</sup> Taylor Walker, Supervisors Vote to Indemnify LASD Members Involved in Jail Beating, LA Witness (May 11, 2017).

<sup>152</sup> See Email from James S. Muller to author (May 19, 2026 1:23 PM).

<sup>153</sup> <https://bklwlaw.com/team/anthony-bisconti/>

<sup>154</sup> Email from Tony Bisconti, to author July 1, 2026, 9:56 AM).

<sup>155</sup> Email from Caleb Mason to author (June 4, 2026 11:42 AM).

<sup>156</sup> See *supra* note 105 and accompanying text.

<sup>157</sup> See *supra* note 106 and accompanying text.

hundred dollars” and the other paid nothing. In the other case, *Cooper v. City of Chicago*, the jury awarded \$125,000 in compensatory damages and \$425,000 in punitive damages against five officers. Three months after the plaintiff began wage garnishment proceedings, the five individual defendants agreed to pay a total of \$127,000 (30% of the total punitive damages award): three officers paid \$30,000 apiece; one officer paid \$22,500; and one officer paid \$15,000.<sup>158</sup>

*Atlanta.* Atlanta has a policy that limits indemnification to \$2,000, although it has repeatedly paid to resolve cases on behalf of its officers’ in amounts that exceed \$2,000.<sup>159</sup> In *Goldring v. Henry*, a jury awarded \$1.5 million against an officer who arrested a Black transgender woman on false cocaine-trafficking charges.<sup>160</sup> When the city would not agree to indemnify the officer post-trial beyond the \$2,000 amount, the plaintiff began collection proceedings and garnished the officer’s wages.<sup>161</sup> The case ultimately settled with the city paying \$1.375 million.<sup>162</sup> The officer paid \$9,744.51 in the course of the garnishment proceedings, but did not contribute to the \$1.375 million settlement.<sup>163</sup>

*Pending cases.* There are also several cases in which juries awarded compensatory and/or punitive damages against officers during the 2018-23 study period, the local governments denied officers indemnification post-trial, and the officers’ and jurisdictions’ financial obligations remain in dispute.<sup>164</sup> In *Edwards v. Grubbs*, a jury awarded \$20 million in compensatory damages and \$20 million in punitive damages against an Atlanta officer who tased and paralyzed an elderly

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<sup>158</sup> Release and Satisfaction of Judgment, *Cooper v. City of Chicago*, No. 18-3019 (7<sup>th</sup> Cir. Feb. 23, 2019); Agreed Order to Cease Wage Garnishment, *Cooper v. City of Chicago*, 16-cv-3519 (filed Feb. 26, 2019).

<sup>159</sup> See *supra* notes 107-108 and accompanying text.

<sup>160</sup> Eduardo Medina, Black Transgender Woman Awarded \$1.5 Million After ‘Bogus’ Arrest, N.Y. Times (Feb. 22, 2022).

<sup>161</sup> See Email from Jeff Filipovits to author (May 6, 2026, 8:35 AM).

<sup>162</sup> *Id.*

<sup>163</sup> See Email from Jeff Filipovits to author (May 6, 2026, 12:32 PM).

<sup>164</sup> For more recent cases, outside the study period, that fit this description, see <https://www.themarshallproject.org/2025/11/01/police-accountability-liability-indemnify-civil-settlement>

man.<sup>165</sup> The court granted remittitur, reducing the punitive damages award from \$20 million to \$1 million.<sup>166</sup> The city has declined to indemnify Officer Grubbs beyond the \$2,000 authorized by Atlanta law, and the plaintiff has begun collection efforts, securing an order that Officer Grubbs pay \$700 per month as his supersedeas bond while the case was being appealed.<sup>167</sup> The Eleventh Circuit affirmed the trial court in all respects on June 30, 2026,<sup>168</sup> and collection efforts will presumably resume, although there remains the possibility that the court will order Atlanta to pay the judgment (as plaintiff's counsel has argued it should)<sup>169</sup> or Atlanta will agree to settle on the officer's behalf (as the city did in *Goldring*).<sup>170</sup>

In 2018, in *Ekukpe v. Santiago*, a case alleging false arrest and excessive force, the jury awarded compensatory and punitive damages against two New York City police officer defendants: \$85,000 in compensatory and \$5,500 in punitive damages against a sergeant and \$85,000 in compensatory and \$5,000 in punitive damages against an officer.<sup>171</sup> The district court denied the motion for remittitur and the Second Circuit affirmed.<sup>172</sup> After the verdict, the city declined to indemnify both officers.<sup>173</sup> Eight years after entry of the verdict, the parties continue to dispute who bears financial responsibility for satisfying the judgment, and neither the City nor the officers have paid anything to the plaintiff.<sup>174</sup>

Finally, there are a few cases during the study period in which officers were denied indemnification but plaintiffs have yet to be paid

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<sup>165</sup> *Edwards v. Grubbs*, 179 F.4<sup>th</sup> 909 (11<sup>th</sup> Cir. 2026).

<sup>166</sup> *Id.*

<sup>167</sup> Order, *Edwards v. Grubbs*, 19-cv-2047 (N.D. Gal. filed May 24, 2023).

<sup>168</sup> *Edwards*, 179 F.4<sup>th</sup> at 909.

<sup>169</sup> See *id.*

<sup>170</sup> See *supra* notes 160-163 and accompanying text.

<sup>171</sup> See *Ekukpe v. Santiago*, 16-cv-5412, 2020 WL 7027613 (S.D.N.Y. Nov. 30, 2020).

<sup>172</sup> *Ekukpe v. Santiago*, 823 Fed. Appx. 25 (2d Cir. 2020).

<sup>173</sup> See Letter from Georgia M. Pestana, The City of New York Law Department, to Judge Analisa Torres, S.D.N.Y. (July 24, 2018).

<sup>174</sup> See Email from Ed Sivin to author (May 27, 2026 8:48 AM).

because the officers appear to be judgment proof. For example, in *Noonan v. Becker*, the plaintiff alleged that a New York City officer sexually harassed her during her arrest, pressured her to go on a date with him, then drugged, raped, and assaulted her.<sup>175</sup> The officer was not represented by the city and did not appear in court; in 2018, the judge entered a default judgment and awarded the plaintiff \$1,013,000 in compensatory damages and \$1,000,000 in punitive damages.<sup>176</sup> The officer was in prison at the time the default judgment was entered—not for the assault of Noonan (which resulted in no discipline or criminal charges)<sup>177</sup> but for submitting an unrelated false insurance claim.<sup>178</sup> The *Noonan v. Becker* case docket indicates no efforts to collect on the default judgment.

In another case, *Arend v. Paez*, the plaintiff alleged a Denver police officer kidnapped and sexually assaulted her while on the job.<sup>179</sup> The officer was convicted of both kidnapping and sexual assault, fired, and sentenced to prison.<sup>180</sup> In 2018, in the civil case, the jury awarded the plaintiff \$167,250 in compensatory damages and \$100,000 in punitive damages.<sup>181</sup> Denver did not indemnify the officer and the officer, who is still in prison, has paid nothing; the plaintiff's attorney expects that when he is paroled and gets a job "we will have to...follow him around and garnish his wages."<sup>182</sup> *Noonan* and *Arend* point to an obvious additional condition predicate to an officer paying, beyond the government declining to indemnify and the plaintiff pursuing collections; the officer must have something to collect.

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<sup>175</sup> See Ed Krayewski, NYPD Cop Accused of Rape, Assault, False Arrest—Might Be Gone Already If He Were a College Student, Reason (June 10, 2014, 2:01 PM).

<sup>176</sup> Order Adopting Report and Recommendation, *Noonan v. City of New York*, No. 14-cv-4084 (filed May 8, 2018).

<sup>177</sup> Krayewski, *supra* note 175.

<sup>178</sup> Press Release, Former NYPD Officer Sentenced to Two Years in Prison for Insurance Fraud Scheme (July 20, 2017).

<sup>179</sup> *Arend v. Paez*, 12-cv-1270, 2019 WL 2726231 (D. Colo. July 1, 2019).

<sup>180</sup> *Id.* at \*1.

<sup>181</sup> *Id.*

<sup>182</sup> Michael Roberts, The Eight-Year Ordeal of a Woman Sexually Assaulted by a Denver Cop, Westword (Nov. 12, 2018), <https://www.westword.com/news/hector-paez-the-eight-year-ordeal-of-denver-police-officers-sexual-assault-victim-10983675/>.

### III. IMPLICATIONS

Between 2006-2011, in forty-four large law jurisdictions across the country, police officers rarely paid anything to resolve civil rights lawsuits brought against them. Officers contributed to just 0.41% of the approximately 9225 cases resolved with payments to plaintiffs, and the money paid by officers amounted to just 0.02% of the dollars paid. Officers in thirty-seven medium and small jurisdictions did not pay a penny during that period. In 2018-2023, officers in 39 large jurisdictions were similarly insulated from financial consequences for their alleged misconduct. During that period, officers contributed to just 0.43% of the approximately 6504 cases resolved with payments to plaintiffs, and the money paid by officers amounted to just 0.04% of total dollars paid. Data compiled about the later study period revealed increases in the total amount awarded in civil rights suits; increases in total, median, and average punitive damages awards; an increase in the total amount paid by officers; and instances of plaintiffs and their attorneys pursuing collections against unindemnified officers in a handful of cases (a phenomenon not seen in the earlier study period). This Part explores implications that can be drawn from these findings for constitutional tort doctrine, the dynamics of indemnification, and local governments' attention to litigation costs and information.

#### A. For Constitutional Tort Doctrine

The assumption that government officials personally satisfy settlements and judgments against them in civil rights cases undergirds the Supreme Court's qualified immunity doctrine, municipal liability standard, and prohibition of punitive damages against local governments.<sup>183</sup> In recent years, as debates about the sensibility of qualified immunity doctrine have taken center stage, claims that officers are personally responsible for settlements and judgments against them have continued to proliferate. Across the decades, claims about officers' financial exposure absent qualified immunity have remained startlingly consistent. For example, at qualified immunity's inception, in 1967, the Court deemed it necessary because "[a] policeman's lot is not so unhappy that he must choose between being charged with dereliction of duty if he does not arrest when he has

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<sup>183</sup> See *supra* note 1 and accompanying text.

probable cause, and being mulcted in damages if he does.”<sup>184</sup> In 2020, the editorial board of the Albuquerque Journal expressed the same fears in the face of efforts to abolish qualified immunity, asking: “Do we really want to take a rookie Albuquerque Police Department officer working graveyard in high-crime Albuquerque, making maybe \$60,000 a year, and put his or her house on the line for doing something in response to a 911 call that in 20-20 hindsight might have been done better?”<sup>185</sup>

*Police Indemnification* and this Article together show four things that should definitively foreclose these types of claims. First, officers virtually never pay anything toward settlements and judgments; in both 2006-2011 and 2018-23, local government paid the entirety of settlements in judgments in more than 99.5% of the cases in which plaintiffs received payment, and local governments and their insurers paid more than 99.9% of the dollars awarded to plaintiffs in those cases.

Second, on the very rare occasions when officers pay, they pay just a few thousand dollars on average—nothing that would cause them to be “mulcted”<sup>186</sup> in damages or have to put their “house on the line.”<sup>187</sup>

Third, the officers who have been required to contribute—particularly in the instances in which officers have been required to contribute more than the median of a few thousand dollars—have acted in ways that cannot possibly be characterized as good-faith, split-second mistakes. As a preliminary matter, the very notion that officers could be held financially responsible for good-faith, split-second mistakes absent qualified immunity is a red herring given that good-faith, split-second mistakes do not violate the Fourth Amendment according to the Supreme Court.<sup>188</sup> But the officers required to contribute during both study periods have fabricated evidence, leading to wrongful arrests and convictions; engaged in conduct so egregious

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<sup>184</sup> *Pierson v. Ray*, 386 U.S. 547, 555 (1967).

<sup>185</sup> Editorial Board, *Qualified Immunity Provides Reasonable Protection for Police Officers*, Albuquerque Journal (Aug. 9, 2020)

<sup>186</sup> *Pierson*, 386 U.S. at 555.

<sup>187</sup> Editorial Board, *supra* note 185.

<sup>188</sup> See Joanna C. Schwartz & Seth W. Stoughton, *The Unnecessary Protection of Qualified Immunity*, Verdict (June 26, 2020).

that it merited the award of punitive damages (upheld by reviewing courts); used fatal force or engaged in sexual violence; and engaged in misconduct for which they were fired and/or prosecuted. I do not claim that these cases are the worst of the worst—there are many cases during this same study period in which officers who engaged in egregious misconduct paid nothing<sup>189</sup>—but the conduct leading to officers’ contributions cannot be characterized as good-faith, split-second mistakes.

Fourth, and finally, on the occasions that officers have been held personally financially responsible, it is decisions by local governments to deny those officers indemnification—not the absence of qualified immunity—that has been the cause. To the extent that commentators, politicians, and police officials despair of these rare occasions, they should be placing the blame at the feet of the local government officials who decided to expose officers to financial liability, not qualified immunity doctrine.

Although each of these conclusions were amply supported by the evidence in *Police Indemnification*, confident assertions that officers are financially responsible for settlements and judgments against them have persisted unabated and were the apparent reason many bills to end or limit qualified immunity failed in the early 2020s.<sup>190</sup> The confirmatory findings in this Article may be no more convincing to defenders of qualified immunity than it is effective to repeat oneself more loudly to someone who cannot understand you because they speak a different language. Nevertheless, as debate around qualified immunity continues—as it most assuredly will while states contemplate passing laws allowing suit against federal officers when they violate the Constitution<sup>191</sup>—advocates should employ these combined findings to counter claims about officers’ financial exposure absent the defense.

#### B. For Understandings About the Mechanics of Indemnification

The findings in *Police Indemnification* and this Article illuminate the mechanics of indemnification and officer payments in ways relevant to courts’ and scholars’ understanding of this often-ignored

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<sup>189</sup> See *supra* Part II.D.

<sup>190</sup> See Kindy, *supra* note 45.

<sup>191</sup> See Bidwell, *supra* note 56; De La Hoz, *supra* note 56.

facet of constitutional tort litigation; to policymakers looking to adjust the civil rights liability's financial burdens and deterrent signals; and to advocates maneuvering through this complex and obscure quagmire.

First, these findings make clear that indemnification policies and indemnification decisions in individual cases bear little relationship to whether an officer ultimately bears financial liability. Officers in both studies were made to pay when applicable indemnification statutes did not contemplate such payments, and were shielded from financial liability despite applicable indemnification statutes that prohibited such protection. In both studies, local governments threatened to deny officers indemnification to gain apparent tactical advantage—to reduce the case's settlement value, reduce a jury award post-trial, or discourage a plaintiff from pursuing a claim—only to pay the entirety of a settlement or judgment when all was said and done. These observations make clear that amending indemnification statutes and policies will not necessarily have their intended effect on the frequency and amount of officer payments. Other proposed adjustments to officers' financial responsibility when they engage in misconduct—including requiring officers to have individual liability insurance, creating joint and several liability, or requiring officers to contribute to a settlement or judgment when they act in bad faith—similarly will not, on their own, change whether and how much officers pay.

Second, and relatedly, these findings make clear that the frequency with which officers contribute to settlements and judgments depends on the civil rights ecosystem in which the case arose. In other words, whether an officer pays depends not on the indemnification rules on the books, but on decisions made by the government officials authorized to deny indemnification or demand an officer contribute to a settlement; decisions by the officer and union representatives about whether and how strenuously to fight a threatened indemnification denial; and decisions by the plaintiff and their attorney about whether to pursue a case against an unindemnified officer and whether to collect on any award. The officer payments reported in New York City, San Diego, and Cleveland suggest that government officials in jurisdictions interested in increasing officers' financial responsibility need not change indemnification laws and policies—officials can demand officer contributions to settlements regardless of applicable indemnification rules. And plaintiffs' attorneys' efforts in Atlanta, Chicago, and Los Angeles County show both it is possible to collect

against unindemnified officers, and that taking initial steps to collect—whether by garnishing officers’ wages or putting liens on their property—may pressure the officers or the local government to open their checkbooks.

Third, these findings suggest possible shifts in at least some jurisdictions’ civil rights ecosystems. Lawsuit payouts, punitive damages awards, and officer payouts appear each to have increased between 2006-2011 and 2018-2023. The circumstances by which officers come to pay have shifted as well. All officer payments reported from 2006-2011, in *Police Indemnification*, were the result of negotiated settlements whereby officers agreed to pay a portion of larger awards even though the officers were not officially denied indemnification. The majority of officer payments in the later study followed this path as well. But at least five cases with officer payments during the 2018-2023 study period followed a second path; local governments formally denied officers indemnification and then the plaintiffs and their attorneys pursued collections against the unindemnified officers.

Even with the voluminous evidence compiled in these two studies, it is premature to make any definitive claims about the size or causes of these shifts. It remains to be seen whether these trends continue, and whether plaintiffs’ pursuit of unindemnified officers’ resources change that jurisdiction’s indemnification decisions, officers’ relationship with their employers, or officers’ behavior on the street.

### C. For Local Governments’ Risk and Liability Management

Finally, local governments’ pervasive ignorance about the costs of litigation and their own indemnification decisions should itself be a focus of concern, advocacy, and reform. Governments, commentators, and tort reform organizations are keen to argue that litigation costs hamper local governments’ ability to provide basic services to their residents.<sup>192</sup> Such claims are overblown, given that lawsuits amount to

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<sup>192</sup> See, e.g., George C. Smith, *Lawyers Split the Fee and Taxpayers Foot the Bill*, *Wall Street Journal* (Feb. 25, 1986) (arguing that civil rights lawsuits have “become a veritable cottage industry” and, as a result, “millions of dollars in public funds are being diverted from schools, highways, and health programs into the swollen coffers of law firms, liberal activist groups (such as the ACLU), and legal aid societies”); Renee Graham, *Unless Qualified Immunity Ends, There’s No Police Accountability*, *Boston Globe* (May 12, 2021) (observing that the \$3 billion spent by 31 cities over

the smallest of fractions of local governments' budgets—far less, by orders of magnitude, than the budgets of their law enforcement agencies.<sup>193</sup> But, accepting that these litigation costs are significant, and apparently growing, these articles' findings suggest that many local governments are not taking the most obvious step to limit those costs: they are not collecting basic information the lawsuits brought against them.

Any cash-strapped business that is regularly being sued would presumably examine the cases brought against them to determine areas of legal vulnerability and create financial or other incentives for their employees to improve. But local governments tend not to investigate allegations in lawsuits as they would citizen complaints, gather evidence unearthed in lawsuits brought against them and their officers, or look for trends in those cases.<sup>194</sup> In both study periods, in response to my records requests, many large jurisdictions reported they did not keep records reflecting whether and under what circumstances they deny their officers indemnification.<sup>195</sup> In both study periods, many

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the past decade is “money that could have been allocated to schools, housing, mental health, addressing substance abuse disorder, and other vital resources that go underfunded, especially in communities of color; More Lawyers, Less Public Services: The Cost of Litigation to California’s Cities and Counties, California Citizens Against Lawsuit Abuse (undated) (arguing that lawsuit payments “throw budgets out of balance and lead to cuts in public services).

<sup>193</sup> See Schwartz, *supra* note 54, at 203 (observing that police misconduct lawsuits amount to less than one percent of most jurisdictions’ budgets, and that Chicago’s annual police misconduct lawsuit payouts equal the amount Chicago planned to pay to repair its sidewalks, curbs, and gutters in 2022, and was just a sixth of the pay increase Chicago officers got that year).

<sup>194</sup> See Monell’s *Untapped Potential*, *supra* note 25; *Myths and Mechanics of Deterrence*, *supra* note 25.

<sup>195</sup> For responses by jurisdictions that reportedly did not collect information about indemnification decisions for the 2018-23 study period see, for example, Email from City of Albuquerque Public Records to author (Sept. 17, 2024 12:43 PM (“We don’t believe that any officers were denied indemnification during that time. We do not necessarily have search tools to identify this but no one we asked could recall an instance of this happening”)); Email from Ruby Theriot, Public Records Co-Op, City of Boston, to author (Apr. 16, 2026) (“[T]here is no central record depicting cases in which officers were denied indemnification....Indemnification is decided on a case by case basis. There is no single documenting [sic] reflecting indemnification policy.”); Email from Amber Robinson, Special Counsel, City of Atlanta Department of Law, to author (June 4, 2024) (“The Department of Law does not maintain records in its custody in a manner which would permit it to identify records

large jurisdictions reported that they did not have records reflecting the names or total number of civil rights lawsuits brought against their law enforcement officers, or the amount paid in those cases.<sup>196</sup> Perhaps

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which are responsive to your question [regarding any instances in which officers have been denied indemnification]; and I am unaware of any agency which would track this information.”); Email from Lexie Heinemann, Public Relations Representative, Department of Law, City of Chicago, to author (June 5, 2024) (reporting that, “[a]fter consulting multiple divisions within the Department of Law, it has been determined that the Department of Law does not possess records responsive to your request” for information about indemnification decisions); See email from Frank Mateljian, Office of the City Attorney, CPRA Unit – General Counsel Division, City of Los Angeles, to author (Sept. 20, 2024) (“[W]e do not have records in our possession responsive to your request that would accurately reflect the information you are requesting” regarding indemnification decisions); Letter from Melissa Gardner, Records Resource Section, Michigan State Police, to author (June 3, 2026) (reporting, in response to my request for information about indemnification denials, “the MSP is unaware of any such occurrence with an MSP member,” but it would need to conduct “a thorough search of all settlement agreements during the time period and verify no records exist,” which would take “a significant amount of labor” and would cost an estimated \$697.86); Email from Erika Sillabower, FOIA Officer, Office of the Attorney General for the District of Columbia, to author (July 14, 2026, 2:35 PM) (responding that “after a diligent search [for records reflecting indemnification decisions]...we were unable to identify any records that would provide further information.”); Email from Leigh C. Kobrinski, Assistant County Attorney, Miami-Dade, to author (June 3, 2024) (reporting that the county attorney’s office “does not have or maintain records in the format you have requested [regarding indemnification decisions] or have a readily available way of searching for responsive records. Any such search would require a case-by-case review of any and all cases that our office has handled within the five-year time period to determine if it is responsive to the request.”); Email from Shea Skinner, Deputy City Solicitor, City of Philadelphia to author (Aug. 9, 2024) (reporting that “requested information [about indemnification decisions] is not compiled, maintained, or organized in a manner responsive to your request”); Letter from Christopher J. Clayton, Suffolk County Attorney, to author (June 9, 2026) (“[t]he files are not maintained in a manner that enables the County to identify or locate records” about police officer-involved lawsuits, payments, and indemnification decisions because, “[a]t this time, records are organized by individual name rather than by case type, such as whether a matter involves a police officer.”); Letter from Martha Castro, Tucson Liability Claims Manager, to author (June 29, 2024) (reporting that “Risk Management does not have [indemnification] information.”). For jurisdictions that reported they did not collect indemnification information during the 2006-2011 study period, see Schwartz, *supra* note 2, at 903-04, 956.

<sup>196</sup> For responses by jurisdictions that reportedly did not collect information about civil rights lawsuit payouts for the 2018-23 study period see, for example, Email from Leigh Kobrinski, Miami Dade Assistant County Attorney, to author (June 4, 2024, 2:55 PM) (explaining that “[w]e have the case files...for federal and tort and

someone, somewhere within these governments possessed this information but did not share it with the city and county attorneys, risk managers, and law enforcement agency personnel I queried. Or maybe officials had this information but were unwilling to share it with me. But if local governments do not collect information about lawsuit allegations, indemnification decisions, or payouts, they cannot possibly make informed assessments about how to reduce their legal liabilities.

To be clear, the problem is not that information about lawsuit payouts and indemnification exists nowhere within these governments' file cabinets and hard drives; the problem is that governments are choosing not to pay attention to information that does exist. Baltimore is a case in point. In the earlier study, the Baltimore police department's legal affairs division promptly provided me with information about the total paid in civil rights litigation between 2006-2011, and a representative of the division told me, in an interview, that no officers had been denied indemnification during the study period.<sup>197</sup> When I asked the police department for the same data for the period from 2018-23, I was told by a representative of the same office that "no responsive records were located" after a "diligent search."<sup>198</sup> When I requested this same information from Baltimore's Law Department, I was told this payment and indemnification information

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labor cases. But it isn't organized in a manner that you can easily determine if the case was paid out or that our office declined to represent an employee or that the County declined to indemnify an employee, etc. So someone would have to go through each of the cases handled by our office during that time period and determine if it is responsive—if it relates to MDPD, what the result was (settlement, trial, etc.), etc. and provide the records from the case file. It would be very labor intensive and a special service charge for the request would be imposed."); Letter from Christopher J. Clayton, Suffolk County Attorney, to author (June 9, 2026) ("[t]he files are not maintained in a manner that enables the County to identify or locate records" about police officer-involved lawsuits, payments, and indemnification decisions because, "[a]t this time, records are organized by individual name rather than by case type, such as whether a matter involves a police officer."). See also *infra* notes 197-200 (describing Baltimore's response to my request for civil rights payout information). For jurisdictions that reported they did not have information about civil rights payouts during the 2006-2011 study period, see Schwartz, *supra* note 2, at 903-04, 956.

<sup>197</sup> Police Indemnification at 986-87.

<sup>198</sup> Email from Nichola Gills, Investigative Specialist, Office of Police Commissioner/Legal Affairs to author (Mar. 20, 2025)

was protected by attorney-client privilege.<sup>199</sup> When I sought this information from the Baltimore Comptroller's Office, charged with the financial management of the city, I was told that they did not have a report reflecting the cost of lawsuits against Baltimore police officers, but that they did have a website reflecting the total number of cases resolved involving the Gun Trace Task Force and the amount of money spent per officer.<sup>200</sup> If the city could produce this information more than a decade ago, and the Comptroller can calculate per-officer liability costs associated with the high-profile Gun Trace Task Force, they can and should make similar assessments of all of their liability costs.

City and county officials are responsible for setting law enforcement agencies' budgets and overseeing their activities. As part of that responsibility, they should demand their attorneys and law enforcement agencies provide better accountings of the amount paid in lawsuits, the allegations and officers that expose them to the most liability, and instances in which officers are denied indemnification.<sup>201</sup> And instead of complaining that lawsuit costs are preventing towns from improving their libraries and community centers,<sup>202</sup> and arguing that it should be made harder to sue, government officials should take a closer look at what those lawsuits allege and take informed steps to prevent similar harms from happening in the future.

Plaintiffs and their attorneys can play a role here, too. I previously argued that police departments' disregard of information unearthed during litigation should be a basis for municipal liability.<sup>203</sup> If failing

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<sup>199</sup> See Email from Hilary Ruley, Chief Solicitor, General Counsel Division, Baltimore City Department of Law, to author (June 13, 2024)

<sup>200</sup> Email from Geoff Shannon to author (Apr. 28, 2026).

<sup>201</sup> Cincinnati's solicitor reports each month to the city manager, city council, and mayor about settlements paid over \$5,000, and the cover letter to these reports assures the city officials that the solicitor's office "strives to resolve [each case] fairly, justly, and at the least economic cost to the taxpayers of the City of Cincinnati," based on each case's "own particular strengths and weaknesses." See Memo from Paula Boggs Muething, City Solicitor, to Patrick A. Duhaney, City Manager, City Settlement Agreement Notification-May 2019 (June 14, 2019). But the reports include almost no information about each case beyond the settlement amount and the agency involved, and the solicitor's office apparently does not keep information about its indemnification decisions.

<sup>202</sup> See *supra* note 192 and accompanying text.

<sup>203</sup> See Monell's Untapped Potential, *supra* note 25.

to investigate complaints, interview witnesses, or consider relevant information during internal affairs investigations can establish a failure to adequately supervise officers, then disregarding litigation information should as well.<sup>204</sup> This same logic may apply to jurisdictions' inattention to their indemnification decisions.<sup>205</sup> In most jurisdictions, an officer will be denied indemnification only if he has been found to have engaged in conduct outside the scope of the applicable law or policy.<sup>206</sup> Officers in some jurisdictions—like New York City—sometimes contribute to settlements even though they are indemnified as an official matter; presumably in those cases, a city official has concluded that the officer engaged in wrongdoing that merits that contribution. A local government's failure to keep track of these types of determinations or to notate such decisions in officers' personnel files is arguably tantamount to the failure to track a citizen complaint—perhaps, even, a substantiated citizen complaint—against an officer. Plaintiffs and their lawyers should therefore seek discovery about indemnification decisions and use local governments' deliberate indifference to this information to support municipal liability claims for failure to supervise.

#### CONCLUSION

*Police Indemnification* revealed that, in 2006-2011, in jurisdictions across the country, officers were virtually always shielded from any financial consequences of lawsuits brought against them. This Article shows that the same was true in the years 2018-2023. But this Article offers more than a recitation of the same bottom line. It additionally observes shifts in the amount paid plaintiffs in compensatory and punitive damages, the amount paid by officers, and the circumstances under which plaintiffs have collected from officers. These findings definitively undermine claims that officers will be subjected to punishing financial liability absent qualified immunity's protections; distinguish indemnification decisions and payment obligations and make clear that whether an officer pays depends on the civil rights

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<sup>204</sup> *Id.* at 928-29.

<sup>205</sup> See *supra* note 195 and accompanying text.

<sup>206</sup> This would not be true only in jurisdictions like El Paso and Memphis, which have a policy of always indemnifying their officers indemnification.

ecosystem in which the case arose; and give officials and plaintiffs tools to demand that their local governments learn more from the lawsuits brought against them and their officers, the amount they pay to resolve those cases, and the indemnification decisions they make.

## APPENDICES

### APPENDIX A: THE COST OF SETTLEMENTS AND JUDGMENTS IN CASES AGAINST LAW ENFORCEMENT DEFENDANTS (2018-2023)

The following table provides detailed information regarding the payments of settlements and judgments in the thirty-nine large jurisdictions in my study from 2018-2023. By column, the table shows (1) the police agency and state; (2) the number of sworn officers, according to BJS Law Enforcement Census Data (2018); (3) the total amount awarded in civil rights settlements and judgments; (4) the number of civil rights cases in which plaintiffs received payment; (6) the total amount awarded in settlement and judgments of all reported cases; (5) the total number of cases in which plaintiffs received payment; (7) the total number of officers required to contribute to settlements and judgments; and (8) the total amount paid by individual officers. Some jurisdictions provided data solely regarding all case payments or solely regarding civil rights payments: To address the former limitation, I reviewed case dockets and press reports and have counted in the third column all the cases I could confirm were civil rights cases; to address the latter limitation, I have entered the total paid to resolve civil rights cases in the fifth column. Both types of calculations are necessarily underinclusive, so I have added a (+) sign next to each number calculated in these manners. The data reported for Atlanta involves a different estimation; Atlanta provided information from 2020-24, instead of 2018-23. The calculations made regarding Atlanta are detailed in the source appendix.

| Agency                    | Sworn officers | Total Paid to Resolve Civil Rights Cases | Total Civil Rights Cases with Plaintiff Awards | Total Paid to Resolve All Types of Cases | Total Cases with Plaintiff Awards | Total Cases with Officer Payments | Total Officers Who Paid | Total Paid by Officers |
|---------------------------|----------------|------------------------------------------|------------------------------------------------|------------------------------------------|-----------------------------------|-----------------------------------|-------------------------|------------------------|
| Albuquerque PD            | 860            | \$14,287,741                             | 42                                             | \$23,239,914                             | 103                               | 0                                 | 0                       | 0                      |
| Atlanta PD                | 1,680          | \$3,451,345                              | 10                                             | \$8,001,600                              | 46                                | 1                                 | 1                       | \$9,745                |
| Austin PD                 | 1,837          | \$22,182,000                             | 29                                             | \$22,182,000+                            | Unknown                           | 0                                 | 0                       | 0                      |
| Baltimore County PD       | 1,885          | \$7,606,116+                             | 9                                              | \$27,204,093                             | 610                               | 0                                 | 0                       | 0                      |
| Broward County            | 1,467          | \$1,052,202                              | 26                                             | \$3,402,834                              | 78                                | 0                                 | 0                       | 0                      |
| California Highway Patrol | 7,386          | \$36,637,211                             | 24                                             | \$51,747,473                             | 32                                | 0                                 | 0                       | 0                      |
| Charlotte-Mecklenberg     | 1,972          | \$2,658,883                              | 8                                              | \$3,806,294                              | 22                                | 0                                 | 0                       | 0                      |

|                                 |        |               |         |                 |         |        |        |                                                                                  |
|---------------------------------|--------|---------------|---------|-----------------|---------|--------|--------|----------------------------------------------------------------------------------|
| Chicago Police Department       | 12,846 | \$393,633,303 | 781     | \$495,180,587   | 1816    | 2      | 6      | \$127,500 plus "a couple hundred dollars" by one officer (rounded up to \$1,000) |
| Cleveland PD                    | 1,542  | \$32,467,750  | 29      | \$35,773,730    | 59      | 1      | 1      | \$7,500                                                                          |
| Columbus PD                     | 1,850  | \$7,958,232   | 15      | \$8,055,632     | 20      | 0      | 0      | 0                                                                                |
| Cook County                     | 4,888  | \$24,940,016  | 554     | \$37,070,003    | 606     | 0      | 0      | 0                                                                                |
| Denver PD                       | 1,541  | \$26,534,075  | 35      | \$28,234,075    | 57      | 0      | 0      | 0                                                                                |
| El Paso PD                      | 1,071  | \$1,955,000   | 6       | \$3,101,975     | 21      | 0      | 0      | 0                                                                                |
| Fairfax County PD               | 1,389  | \$400,000     | 2       | \$400,000+      | Unknown | 0      | 0      | 0                                                                                |
| Fort Worth PD                   | 1,717  | \$160,450     | 4       | \$1,164,248     | 16      | 0      | 0      | 0                                                                                |
| Illinois State Police           | 1,631  | \$528,433     | 10      | \$3,137,613     | 26      | 0 or 1 | 0 or 1 | Unknown                                                                          |
| Jacksonville Sheriff's Office   | 1,668  | \$1,499,000+  | 30      | \$14,187,285    | 748     | 0      | 0      | 0                                                                                |
| Kansas City PD                  | 1,267  | \$11,617,679  | 31      | \$13,100,782    | 40      | 0      | 0      | 0                                                                                |
| Los Angeles County Sheriff      | 9,407  | \$274,403,406 | 293     | \$274,403,406+  | Unknown | 2      | 2      | \$371,000                                                                        |
| Louisville Metro PD             | 1,282  | \$21,580,557  | 39      | \$26,236,088    | 97      | 0      | 0      | 0                                                                                |
| Memphis PD                      | 1,955  | \$11,457,700  | Unknown | \$11,457,700+   | Unknown | 0      | 0      | 0                                                                                |
| Michigan State Police           | 1,969  | \$26,298,820  | 43      | \$46,887,475    | 84      | 0      | 0      | 0                                                                                |
| Montgomery County PD            | 1,287  | \$2,399,000   | 16      | \$2,481,500     | 20      | 0      | 0      | 0                                                                                |
| Nashville                       | 1,416  | \$3,906,000+  | 7       | \$3,906,000+    | Unknown | 0      | 0      | 0                                                                                |
| New Jersey State Police         | 2806   | Unknown       | Unknown | Unknown         | Unknown | 0 or 1 | 0 or 1 | Unknown                                                                          |
| New York City PD                | 36,392 | \$444,710,536 | 4139    | \$1,390,700,000 | Unknown | 19     | 24     | \$60,900                                                                         |
| North Carolina State Hwy Patrol | 1,800  | \$2,700,000   | 2       | \$2,700,000+    | Unknown | 0      | 0      | 0                                                                                |
| Ohio State Hwy Patrol           | 1,740  | Unknown       | Unknown | Unknown         | Unknown | 0      | 0      | 0                                                                                |
| Oklahoma City Police Department | 1,107  | \$4,381,500   | 25      | \$5,212,159     | 31      | 0      | 0      | 0                                                                                |
| Orange County                   | 1,868  | \$19,095,832  | 35      | \$27,318,787    | Unknown | 0      | 0      | 0                                                                                |

|                                       |                |                         |              |                         |              |              |              |                  |
|---------------------------------------|----------------|-------------------------|--------------|-------------------------|--------------|--------------|--------------|------------------|
| Sheriff's Dep't                       |                |                         |              |                         |              |              |              |                  |
| Riverside County Sheriff's Office     | 1,762          | \$36,470,985            | 128          | \$50,853,892            | 180          | 0            | 0            | 0                |
| San Antonio P.D.                      | 2,231          | \$1,510,000             | 10           | \$1,735,000             | 11           | 0            | 0            | 0                |
| San Bernardino County Sheriff's Dep't | 1,973          | \$28,857,643+           | Unknown      | \$48,932,124            | 148          | 0            | 0            | 0                |
| San Diego PD                          | 1,836          | \$9,234,500             | 15           | \$18,435,499            | 29           | 1            | 1            | \$1,000          |
| San Francisco PD                      | 2,288          | \$37,236,501            | 47           | \$43,229,685            | 71           | 0            | 0            | 0                |
| San Jose PD                           | 973            | \$10,322,045            | 19           | \$10,984,056            | 29           | 0            | 0            | 0                |
| Seattle PD                            | 1,364          | \$16,346,002+           | 31           | \$42,003,708            | 122          | 0            | 0            | 0                |
| Tampa PD                              | 956            | \$197,500               | 5            | \$197,500+              | Unknown      | 0            | 0            | 0                |
| Texas Dep't Public Safety             | 4,297          | \$179,036+              | 5            | \$7,127,785             | 97           | 0            | 0            | 0                |
| <b>Totals</b>                         | <b>131,149</b> | <b>\$1,524,510,997+</b> | <b>6504+</b> | <b>\$2,793,792,502+</b> | <b>5219+</b> | <b>26-28</b> | <b>35-37</b> | <b>\$578,645</b> |

## APPENDIX B: DEPARTMENTS THAT DID NOT PRODUCE INFORMATION ABOUT OFFICER PAYMENTS

The following table sets out the twenty-eight large jurisdictions that did not provide information about officer payments. By column, the table shows (1) the police agency; (2) the number of sworn officers in each jurisdiction; (3) the total awarded (if known) in civil rights cases; (4) the total awarded (if known) in all cases.

| Agency                     | Sworn officers | Total Paid by Gov't/Insurer to Resolve Civil Rights Cases | Total Civil Rights Cases with Plaintiff Awards | Total Paid by Gov't/Insurer to Resolve All Types of Cases | Total Cases with Plaintiff Awards |
|----------------------------|----------------|-----------------------------------------------------------|------------------------------------------------|-----------------------------------------------------------|-----------------------------------|
| Baltimore PD               | 2530           | Unknown                                                   | Unknown                                        | Unknown                                                   | Unknown                           |
| Boston PD                  | 2119           | \$30,682,692                                              | 23                                             | \$41,365,142                                              | 558                               |
| Cincinnati PD              | 1036           | \$992,200                                                 | 12                                             | \$2,175,293                                               | 52                                |
| Dallas PD                  | 3016           | Unknown                                                   | Unknown                                        | \$5,087,173                                               | Unknown                           |
| DeKalb County              | 3016           | Unknown                                                   | Unknown                                        | Unknown                                                   | Unknown                           |
| Detroit                    | 2420           | Unknown                                                   | Unknown                                        | Unknown                                                   | Unknown                           |
| Florida Highway Patrol     | 1817           | Unknown                                                   | Unknown                                        | Unknown                                                   | Unknown                           |
| Harris County              | 2157           | Unknown                                                   | Unknown                                        | Unknown                                                   | Unknown                           |
| Honolulu PD                | 1,943          | Unknown                                                   | Unknown                                        | Unknown                                                   | Unknown                           |
| Houston PD                 | 5199           | Unknown                                                   | Unknown                                        | Unknown                                                   | Unknown                           |
| Indianapolis PD            | 1676           | Unknown                                                   | Unknown                                        | Unknown                                                   | Unknown                           |
| Las Vegas PD               | 2945           | \$84,081,649                                              | 82                                             | \$91,150,100                                              | 216                               |
| Los Angeles PD             | 10,000         | \$93,126,069                                              | 507                                            | \$176,972,390                                             | 1924                              |
| Metropolitan PD            | 3,851          | \$9,080,751                                               | 51                                             | \$16,261,940                                              | 91                                |
| Miami-Dade PD              | 2850           | Unknown                                                   | Unknown                                        | Unknown                                                   | Unknown                           |
| Miami PD                   | 1,266          | 2,328,948                                                 | 40                                             | \$8,164,922                                               | 134                               |
| Nassau County PD           | 2423           | Unknown                                                   | Unknown                                        | Unknown                                                   | Unknown                           |
| Massachusetts State Police | 2,138          | Unknown                                                   | Unknown                                        | Unknown                                                   | Unknown                           |
| Milwaukee PD               | 1851           | Unknown                                                   | Unknown                                        | Unknown                                                   | Unknown                           |
| New Orleans                | 1204           | Unknown                                                   | Unknown                                        | \$20,916,540                                              | 95                                |
| New York State Police      | 4,898          | Unknown                                                   | Unknown                                        | Unknown                                                   | Unknown                           |
| Newark PD                  | 1077           | Unknown                                                   | Unknown                                        | Unknown                                                   | Unknown                           |
| Virginia State Police      | 1958           | Unknown                                                   | Unknown                                        | Unknown                                                   | Unknown                           |
| Pennsylvania State Police  | 4192           | Unknown                                                   | Unknown                                        | \$20,598,156                                              | 103                               |
| Philadelphia PD            | 6529           | Unknown                                                   | Unknown                                        | \$117,340,487                                             | 538                               |
| Phoenix PS                 | 2850           | \$30,661,585                                              | 129                                            | \$48,844,047                                              | 848                               |

|                                |      |         |         |              |         |
|--------------------------------|------|---------|---------|--------------|---------|
| Port Authority<br>of NY and NJ | 1737 | Unknown | Unknown | Unknown      | Unknown |
| Prince<br>George's<br>County   | 1662 | Unknown | Unknown | Unknown      | Unknown |
| St. Louis PD                   | 1181 | Unknown | Unknown | Unknown      | Unknown |
| Suffolk<br>County PD           | 2498 | Unknown | Unknown | Unknown      | Unknown |
| Tucson PD                      | 842  | Unknown | Unknown | \$27,204,093 | 655     |

APPENDIX C: COMPARATIVE COSTS OF CIVIL RIGHTS SETTLEMENTS AND JUDGMENTS, 2006-2011 AND 2018-2023

The following table compares the reported costs in civil rights case payouts in 2006-2011 and 2018-2023. Included in this table are twenty-six jurisdictions that reported their civil rights litigation costs for both periods. By column, the table shows (1) the police agency; (2) sworn officers as of 2008 (the year, during the 2006-11 study period, that the Bureau of Justice Statistics produced a census of all law enforcement agencies); (3) sworn officers as of 2018 (the year, during the 2018-23 study period, that the Bureau of Justice Statistics produced a census of all law enforcement agencies); (4) total reported civil rights lawsuit payments from 2006-11; (5) total reported civil rights lawsuit payments from 2018-23; (6) total civil rights cases with plaintiffs' awards reported for 2006-11; (7) total civil rights cases with plaintiffs' awards reported for 2018-23.

| Agency                     | Sworn officers 2008 | Sworn officers 2018 | Total Paid by Gov't/Insurer to Resolve Civil Rights Cases, 2006-2011 | Total Paid by Gov't/Insurer to Resolve Civil Rights Cases, 2018-2023 | Total Civil Rights Cases with Plaintiff Awards, 2006-2011 | Total Civil Rights Cases with Plaintiff Awards, 2018-2023 |
|----------------------------|---------------------|---------------------|----------------------------------------------------------------------|----------------------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------------------|
| Albuquerque PD             | 1020                | 860                 | \$13,394,194                                                         | \$14,287,741                                                         | 85                                                        | 42                                                        |
| Atlanta PD                 | 1719                | 1,680               | \$10,466,172                                                         | \$3,441,600                                                          | 29                                                        | 10                                                        |
| Austin PD                  | 1515                | 1,837               | \$3,166,501                                                          | \$22,182,000                                                         | 16                                                        | 29                                                        |
| Boston PD                  | 2181                | 2119                | \$16,394,991                                                         | \$30,682,692                                                         | 30                                                        | 23                                                        |
| Broward County             | 1624                | 1,467               | \$7,266,671                                                          | \$1,052,202                                                          | 148                                                       | 26                                                        |
| California Highway Patrol  | 7202                | 7386                | \$19,114,023                                                         | \$36,637,211                                                         | 79                                                        | 24                                                        |
| Charlotte-Mecklenberg      | 1672                | 1,972               | \$1,000,673                                                          | \$2,658,883                                                          | 14                                                        | 8                                                         |
| Chicago Police Department  | 13,354              | 12,846              | \$201,444,893                                                        | \$393,505,303                                                        | 1461                                                      | 781                                                       |
| Columbus PD                | 1,886               | 1,850               | \$901,100                                                            | \$7,958,232                                                          | 12                                                        | 15                                                        |
| El Paso PD                 | 1132                | 1,071               | \$279,000                                                            | \$1,955,000                                                          | 16                                                        | 6                                                         |
| Fort Worth PD              | 1489                | 1,717               | \$2,189,200                                                          | \$160,450                                                            | 11                                                        | 4                                                         |
| Los Angeles PD             | 9727                | 10,000              | \$38,734,282                                                         | \$93,126,069                                                         | 147                                                       | 507                                                       |
| Los Angeles County Sheriff | 9461                | 9,407               | \$53,657,726                                                         | \$274,032,406                                                        | 248                                                       | 293                                                       |
| Louisville Metro PD        | 1197                | 1,282               | \$5,003,703                                                          | \$21,580,557                                                         | 26                                                        | 39                                                        |

|                                 |                |                |                      |                        |             |             |
|---------------------------------|----------------|----------------|----------------------|------------------------|-------------|-------------|
| Metropolitan PD                 | 3742           | 3,851          | \$52,875,616         | \$9,080,751            | 95          | 51          |
| Miami PD                        | 1104           | 1,266          | \$4,235,788          | 2,328,948              | 27          | 40          |
| Michigan State Police           | 1732           | 1,969          | 2,682,627            | \$26,298,820           | 41          | 43          |
| Montgomery County PD            | 1206           | 1,287          | \$1,055,210          | \$2,399,000            | 23          | 16          |
| New York City PD                | 36,023         | 36,392         | \$348,274,596        | \$444,649,636          | 6887        | 4139        |
| North Carolina State Hwy Patrol | 1827           | 1,800          | 30,000               | \$2,700,000            | 1           | 2           |
| Oklahoma City Police Department | 1046           | 1,107          | \$207,250            | \$4,381,500            | 9           | 25          |
| Orange County Sheriff's Dep't   | 1794           | 1,868          | 9,835,070            | \$19,095,832           | 44          | 35          |
| Phoenix PD                      | 3388           | 2,850          | 11,894,824           | \$30,661,585           | 65          | 129         |
| San Francisco PD                | 1940           | 2,288          | \$11,049,735         | \$37,236,501           | 44          | 47          |
| San Jose PD                     | 1382           | 973            | \$4,814,862          | \$10,322,045           | 26          | 19          |
| Tampa PD                        | 980            | 956            | \$3,820,000          | \$197,500              | 11          | 5           |
| <b>TOTALS</b>                   | <b>111,343</b> | <b>112,101</b> | <b>\$823,788,707</b> | <b>\$1,492,612,464</b> | <b>9595</b> | <b>6358</b> |

APPENDIX D: PAYMENT OF PUNITIVE DAMAGES AWARDS AGAINST LAW ENFORCEMENT DEFENDANTS  
(2018-2023)

The following table sets out the jurisdictions in which I found proof that juries awarded punitive damages during the 2018-2023 study period, the amount ultimately paid to plaintiffs (after reductions by the trial or appellate court), and any officer payments towards the punitive damages awards. By column, the table shows: (1) the police agency and state; (2) the case name; (3) the total awarded in punitive damages (with any post-trial reductions); (4) the number of officers against whom punitive damages were awarded; (5) the number of officers required to contribute to or pay punitive damages awards against them; and (6) the total paid by officers to satisfy these punitive damages awards. I have omitted those cases in which the district court vacated or the court of appeals reversed the award of punitive damages.

| Agency     | Case Name                         | Punitive Damages Award                | Officers Against Whom Punitive Damages Were Awarded | Officers Required to Pay Punitive Damages | Amount Paid by Officers                                                                         |
|------------|-----------------------------------|---------------------------------------|-----------------------------------------------------|-------------------------------------------|-------------------------------------------------------------------------------------------------|
| Atlanta PD | Edwards v. Grubbs                 | \$20 million (reduced to \$1 million) | 1                                                   | 0 (pending)                               | 0 (thus far)                                                                                    |
| Austin PD  | Nobles v. Egal                    | \$237,500                             | 2                                                   | 0                                         | 0                                                                                               |
| Chicago PD | Andersen v. City of Chicago       | \$10,000                              | 1                                                   | 0                                         | 0                                                                                               |
| Chicago PD | Bryant v. Cummins                 | \$10,000                              | 2                                                   | 0                                         | 0                                                                                               |
| Chicago PD | Cooper v. City of Chicago         | \$425,000                             | 5                                                   | 5                                         | \$127,000 (between five officers: two paid \$30,000 each; one paid \$22,500; one paid \$15,000) |
| Chicago PD | Davis v. City of Chicago          | \$29,230                              | 0                                                   | 0                                         | 0                                                                                               |
| Chicago PD | Kaufman v. City of Chicago        | \$18,000                              | 1                                                   | 0                                         | 0                                                                                               |
| Chicago PD | Kuri v. Folino                    | \$50,000                              | 2                                                   | 0                                         | 0                                                                                               |
| Chicago PD | Rivera v. Guevara                 | \$175,000                             | 3                                                   | 0                                         | 0                                                                                               |
| Chicago PD | Wryce v. Byrne                    | \$1.2 million                         | 2                                                   | 2                                         | “a couple hundred dollars” by one officer (rounded up to \$1,000)                               |
| Denver PD  | Arend v. Paez                     | \$100,000                             | 1                                                   | 1                                         | 0                                                                                               |
| Denver PD  | Epps v. City and County of Denver | \$250,000 (reduced to \$50,000)       | 1                                                   | 0 (pending)                               | 0 (thus far)                                                                                    |

|                                    |                                    |                                                                         |   |                          |                            |
|------------------------------------|------------------------------------|-------------------------------------------------------------------------|---|--------------------------|----------------------------|
| Denver PD                          | Valenzuela v. Coleman              | \$300,000                                                               | 1 | 0                        | 0                          |
| Los Angeles County Sheriff         | Holmes v. Harris                   | \$1.5 million                                                           | 1 | 1                        | \$296,000 (as of 12.31.23) |
| Los Angeles County Sheriff         | Rodriguez v. County of Los Angeles | \$210,000                                                               | 5 | 1                        | \$75,000                   |
| LAPD                               | Romero v. City of Los Angeles      | \$8,700 (reduced to 0)                                                  | 3 | 0                        | 0                          |
| LAPD                               | Jones v. City of Los Angeles       | \$125,000                                                               | 1 | 0                        | 0                          |
| Louisville Metro Police Department | Render v. Marlow                   | \$2,000                                                                 | 1 | 0                        | 0                          |
| NYPD                               | Collado v. City of New York        | \$10,000,000 (reduced to 0)                                             | 0 | 0                        | 0                          |
| NYPD                               | Drayton v. City of New York        | \$10,000                                                                | 1 | 0                        | 0                          |
| NYPD                               | Ekukpe v. Santiago                 | \$10,500                                                                | 2 | 0 (Pending)              | 0 (thus far)               |
| NYPD                               | Haskins v. Jackson                 | \$30,000                                                                | 1 | 0                        | 0                          |
| NYPD                               | Jennings v. Yurkiw                 | \$355,000                                                               | 3 | 0                        | 0                          |
| NYPD                               | Johnson v. City of New York        | \$80,000                                                                | 2 | 0                        | 0                          |
| NYPD                               | Jones v. City of New York          | \$30,000                                                                | 1 | 0                        | 0                          |
| NYPD                               | Lindsey v. Butler                  | \$67,500 against two officers (reduced to \$50,000 against one officer) | 1 | 0                        | 0                          |
| NYPD                               | Martinez v. City of New York       | \$400,000                                                               | 4 | 0                        | 0                          |
| NYPD                               | Noonan v. Becker                   | \$1,000,000                                                             | 1 | No indication of payment | No indication of payment   |
| NYPD                               | Poulos v. City of New York         | \$75,000                                                                | 1 | 0                        | 0                          |
| NYPD                               | Rizk v. Mehirdel                   | \$22,000                                                                | 2 | 0                        | 0                          |

|              |                                           |                                                                    |           |           |                  |
|--------------|-------------------------------------------|--------------------------------------------------------------------|-----------|-----------|------------------|
| NYPD         | Theodat v. City<br>of New York            | \$357,500<br>(against two<br>officers)<br>(reduced to<br>\$20,000) | 2         | 0         | 0                |
| San Diego    | Estate of<br>Brown v.<br>Lambert          | \$50,000                                                           | 1         | 0         | 0                |
| <b>Total</b> | <b>32 punitive<br/>damages<br/>awards</b> | <b>\$37,137,930<br/>(reduced to<br/>\$7,574,230)</b>               | <b>55</b> | <b>10</b> | <b>\$499,000</b> |

## APPENDIX E: CASES IN WHICH OFFICERS WERE REQUIRED TO CONTRIBUTE (2018-2023)

| Agency                | Case Name                                      | Officers' Financial Contribution                                                                  | Total Payout in Case                                              | Claim Details                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------------|------------------------------------------------|---------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Atlanta PD            | Goldring v. Henry, 18-cv-1191                  | \$9,744.51 (by one officer)                                                                       | \$1,384,744.51                                                    | Officer arrested Black transgender woman on false cocaine-trafficking charges; she was held in jail for five months.                                                                                                                                                                                                                                                                                   |
| Chicago PD            | Cooper v. City of Chicago, 16-cv-3519          | \$127,500 (between five officers: three paid \$30,000 each; one paid \$22,500; one paid \$15,000) | \$558,614                                                         | Officers unlawfully entered Cooper's apartment, used physical force, and falsely arrested him.                                                                                                                                                                                                                                                                                                         |
| Chicago PD            | Wrice v. Byrne, 14-cv-5934                     | "a couple hundred dollars" (by one officer) (estimated at \$1,000)                                | \$6,000,000 (plus the couple hundred dollars paid by one officer) | Wrongful conviction case; officers failed to disclose exculpatory evidence and coerced the plaintiff to confess.                                                                                                                                                                                                                                                                                       |
| Cleveland PD          | Yatsko v. Graziolli, 18-cv-0814                | \$7,500                                                                                           | \$782,500                                                         | An off-duty police officer shot and killed Thomas Yatsko.                                                                                                                                                                                                                                                                                                                                              |
| Illinois State Police | Kromm v. Illinois State Police, 19-cv-2612     | Unknown                                                                                           | Unknown                                                           | Illinois State Police officer was accused of sexual harassment and assault of another employee of the ISP. The state did not represent the officer, and did not disclose the terms of the settlement or whether the defendant officer paid.                                                                                                                                                            |
| Los Angeles County    | Holmes v. Harris, 18-cv-3739                   | \$296,000 (of \$1.5 million still being collected)                                                | \$3,500,000 (plus interest)                                       | Los Angeles County Sheriff's Deputy maliciously prosecuted her next-door neighbor for allegedly attempting to hit the defendant's daughter with her car; the long-running dispute between the defendant and plaintiff began when the defendant and her family began parking their cars in the plaintiff's driveway without permission.                                                                 |
| Los Angeles County    | Rodriguez v. County of Los Angeles, 10-cv-6342 | \$75,000                                                                                          | \$875,000                                                         | A jury found nineteen sheriff's department employees liable for violating the constitutional rights of prisoners during cell extractions, and awarded \$740,000 in compensatory damages and \$210,000 in punitive damages against five supervisory defendants. The Board of Supervisors indemnified four of the five defendants' punitive damages awards, denying indemnification to a former captain. |

|                         |                                                |                                                                                                                          |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| New Jersey State Police | Wilson v. New Jersey State Police, 19-cv-19128 | Unknown                                                                                                                  | Unknown   | Pro se plaintiff sued defendant officer for racial profiling and excessive force during an arrest. The state did not represent the officer, and does not have a record of the terms of the settlement.                                                                                                                                                                                                                                                                                                                                                              |
| New York City           | Brunson v. City of New York, 20-cv-4461        | Something, “not certain” how much, but “in all cases it’s a tiny amount rarely exceeding \$5,000” (estimated at \$5,000) | \$125,000 | Officers beat plaintiff during arrest and at the precinct while handcuffed, including kneeling on his neck during the initial arrest. Officers pressured medical workers to deny treatment for plaintiff’s injuries. Plaintiff was left with scarring and permanent loss of feeling in his left wrist. \$800 was unaccounted for when plaintiff’s property was returned.                                                                                                                                                                                            |
| New York City           | Burgess v. City of New York, 20-cv-6987        | \$400 (by four officers)                                                                                                 | \$42,500  | During a Thanksgiving gathering, officers used a report of an overdose as an excuse to search plaintiff’s apartment without her consent despite no signs of plaintiff being intoxicated. Plaintiff was roughly arrested with officers ignoring her pleas that the handcuffs were hurting her, and transported against her will to a hospital, never receiving medical attention for the alleged overdose. Plaintiff was discharged after medical staff found no basis for her detention, and walked home in the cold without appropriate clothing, phone, or money. |
| New York City           | Cabrera v. City of New York, 8-5866/2022E      | \$500                                                                                                                    | \$29,500  | Officer shot into plaintiff’s car while he was fleeing. Glass shards hit the plaintiff. The officer was arrested for reckless endangerment.                                                                                                                                                                                                                                                                                                                                                                                                                         |
| New York City           | Fermin v. NYPD Commissioner Shea, 21-cv-2605   | \$1,000                                                                                                                  | \$95,000  | Three plaintiffs were beaten by officers at a protest, and were subsequently arrested and denied medical attention. Several officers involved refused to identify themselves and took steps to obscure their identity. The plaintiffs were each given summonses for disorderly conduct, all of which were dismissed.                                                                                                                                                                                                                                                |
| New York City           | Garofano v. City of New York, 23-cv-1676       | \$250                                                                                                                    | \$49,250  | Officers responding to plaintiff’s 911 call after he was robbed involuntarily committed him to a hospital after making false statements to EMT’s and medical staff. Plaintiff was discharged after a psychiatrist found no basis for                                                                                                                                                                                                                                                                                                                                |

|               |                                            |                                        |           |                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------|--------------------------------------------|----------------------------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|               |                                            |                                        |           | his confinement. While plaintiff was hospitalized, the same officers searched his home without consent, frightening his elderly mother and wheelchair-bound sister. The Civilian Complaint Review Board subsequently substantiated an abuse of authority charge against the sergeant who ordered plaintiff's removal to the hospital.                                                                   |
| New York City | Gilchrist v. City of New York, 515533/2016 | \$2,000-\$3,000 (estimated at \$3,000) | \$11,000  | Officer punched plaintiff twice in the face after plaintiff honked at the officer's police vehicle at a traffic light. Plaintiff was arrested and searched without individualized reasonable suspicion. A Civilian Complaint Review Board (CCRB) charge filed against the officer for abuse of authority and physical force was substantiated.                                                          |
| New York City | Gonzalez v. City of New York, 026121/2017E | \$1,500                                | \$14,000  | The plaintiff was detained by the defendant officer, and recorded the officer saying that we have quotas to fill, blame your mayor, so here's your ticket for playing loud music. The officer was served but never, notified the city. The plaintiff moved for a default which was granted. Then the defendant got outside counsel.                                                                     |
| New York City | Johnson v. City of New York, 17-cv-1986    | \$15,000                               | \$22,500  | Off-duty officer hit plaintiff in the neck with the side of his hand and his gun following a dispute in traffic. Another officer arrived on scene and charged plaintiff with felony assault on a police officer despite statements from witnesses that that the off-duty officer was the aggressor.                                                                                                     |
| New York City | Kuyateh v. City of New York, 21-cv-0652    | \$1,500                                | \$327,500 | Officers fabricated evidence to falsely arrest plaintiff, planting drugs in his vehicle during an unlawful search. Plaintiff spent thirteen days in jail and appeared in court eleven times over seven months before charges were dismissed. The same officers later falsely accused plaintiff of possessing a firearm, arresting him at gunpoint before releasing him without charges that same night. |

|               |                                         |                            |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|---------------|-----------------------------------------|----------------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| New York City | Ljutic v. City of New York, 17-cv-7169  | \$2,500                    | \$80,000  | Narcotics officers fabricated evidence that was used to falsely arrest, imprison, and criminally prosecute plaintiff. All charges against plaintiff were dismissed and sealed after several days imprisonment on Rikers Island and eight court appearances over the course of five months.                                                                                                                                                                          |
| New York City | McCoy v. City of New York, 16-cv-1636   | \$16,000 (by two officers) | \$563,501 | Plaintiff was unlawfully arrested and strip searched by officers who fabricated evidence to support plaintiff's criminal prosecution. Unable to post bail, plaintiff was imprisoned for two months on Rikers Island until all criminal charges were dismissed. Both officers were subsequently convicted of perjury in connection with the case.                                                                                                                    |
| New York City | Medina v. City of New York, 19-cv-9412  | \$5,000                    | \$567,500 | Officers used an unauthorized chokehold on plaintiff while simultaneously tasing him thirteen times. Plaintiff was then wrongfully arrested on fabricated charges of assault and resisting arrest. At the precinct, officers invasively searched plaintiff, pulling his pants down and leaving him exposed and handcuffed to a post in a high-traffic corridor. All charges against plaintiff were dismissed or adjourned in contemplation of dismissal.            |
| New York City | Morales v. City of New York, 21-cv-7332 | \$750                      | \$405,750 | Plaintiffs were security guards at the World Trade Center and were designated as essential workers who were exempt from curfew during the Black Lives Matter protests. Officers arrested one of the plaintiffs following her filming of an arrest, throwing her to the ground and causing her to hit her head on the pavement, and subsequently kneeling on her neck. The other plaintiff photographed the arresting officer's badge, which resulted in his arrest. |
| New York City | Rivera v. City of New York, 16-cv-2874  | \$750                      | \$90,000  | Plaintiff filmed a struggle outside his apartment between his neighbor and police using his phone. An officer pointed her weapon at plaintiff, falsely arrested him for assaulting an officer                                                                                                                                                                                                                                                                       |

|               |                                             |                           |           |                                                                                                                                                                                                                                                                                                                                                          |
|---------------|---------------------------------------------|---------------------------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|               |                                             |                           |           | based on fabricated evidence, and seized his phone. Other officers searched plaintiff's apartment. While in custody, officers ignored plaintiff's repeated pleas to have his handcuffs loosened. Plaintiff was held for forty-three hours before being released following the District Attorney's decision to dismiss all charges.                       |
| New York City | Rodriguez v. City of New York, 17-cv-4835   | \$1,000                   | \$20,000  | Officers fabricated evidence to arrest plaintiff for criminal possession of an unlicensed firearm. Officers falsified evidence before the prosecutor and the grand jury, and withheld exculpatory evidence. All charges against the plaintiff were subsequently dismissed thirteen months after his initial arrest.                                      |
| New York City | Stevens v. City of New York, 15-cv-6558     | \$1,500 (by two officers) | \$85,000  | Officers followed, assaulted, and arrested minor plaintiff, holding him at gunpoint and hitting him in the mouth with the gun, breaking some of his teeth. The arresting officers denied plaintiff medical attention. The two officers who made a financial contribution were later arrested and prosecuted.                                             |
| New York City | Whalen v. City of New York, 21-cv-4116      | \$2,000                   | \$42,000  | Plaintiff was a public defender and participant in the Queer Liberation for Black Lives March, when she witnessed another participant being arrested aggressively. Plaintiff later asked officers for the arrested man's information, when another officer armed with a baton pushed her to the ground causing injury.                                   |
| New York City | Wilson v. City of New York, 20-cv-5550      | \$1,000                   | \$110,000 | Officers punched and falsely arrested plaintiff after he made a disparaging remark, causing serious facial and other physical injuries. Plaintiff was released without charges later that night. The Civilian Complaint Review Board subsequently substantiated charges of excessive force and abuse of authority against one of the defendant officers. |
| New York City | Zichettello v. City of New York, 17-cv-7149 | \$2,250                   | \$124,750 | Same facts as alleged in Ljusic.                                                                                                                                                                                                                                                                                                                         |

|              |                             |                  |                               |                                                                                                                                                                                                                                               |
|--------------|-----------------------------|------------------|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| San Diego PD | Hychko v. City of San Diego | \$1,000          | \$15,000                      | The defendant officer had an affair with the plaintiff's husband. The plaintiff blocked the officer's number from the husband's phone, and then the officer had it unblocked through contacts with Verizon, where the defendant used to work. |
| <b>Total</b> | <b>26-28 cases</b>          | <b>\$578,645</b> | <b>At least \$15,9212,610</b> |                                                                                                                                                                                                                                               |

APPENDIX F: THE COST OF SETTLEMENTS AND JUDGMENTS IN CASES AGAINST LAW ENFORCEMENT  
DEFENDANTS IN SMALLER JURISDICTIONS (2018-2023)

The following table provides information regarding settlements and judgments, and officer payments, for the 38 responsive small and mid-sized agencies in my study for the 2018-2023 period. By column, the table shows: (1) the police agency and state; (2) the number of sworn officers in each jurisdiction; (3) the total awarded in settlements and judgments reported by the jurisdictions; (4) the total number of cases in which plaintiffs received payment; (5) the total number of cases in which officers were required to contribute; (6) the total number of officers required to contribute; and (7) the total amount officers were required to pay. Departments are listed alphabetically.

| Agency                                    | Sworn officers | Total awarded | Total cases with plaintiff awards | Total cases in which officers were required to contribute | Total officers required to contribute | Total officers required to pay |
|-------------------------------------------|----------------|---------------|-----------------------------------|-----------------------------------------------------------|---------------------------------------|--------------------------------|
| Allentown Police Department (PA)          | 213            | \$1,767,250   | 10                                | None indicated                                            | None indicated                        | None indicated                 |
| Avondale PD (AZ)                          | 122            | \$2,100,000   | 3                                 | 0                                                         | 0                                     | 0                              |
| Boise PD (ID)                             | 281            | \$792,500     | 3                                 | 0                                                         | 0                                     | 0                              |
| Cloverdale PD (CA)                        | 14             | 0             | 0                                 | 0                                                         | 0                                     | 0                              |
| Cobb County PD (GA)                       | 451            | Unknown       | Unknown                           | 0                                                         | 0                                     | 0                              |
| Contra Costa County Sheriff's Office (CA) | 636            | \$198,004     | 24                                | 0                                                         | 0                                     | 0                              |
| Eden Prairie PD (MN)                      | 68             | Unknown       | Unknown                           | 0                                                         | 0                                     | 0                              |
| Edgewood PD (FL)                          | 14             | 0             | 0                                 | 0                                                         | 0                                     | 0                              |
| Eustis PD (FL)                            | 37             | \$125,547     | 27                                | None indicated                                            | None indicated                        | None indicated                 |
| Evansville PD (WI)                        | 9              | 0             | 0                                 | 0                                                         | 0                                     | 0                              |
| Fruitland PD (ID)                         | 12             | 0             | 0                                 | 0                                                         | 0                                     | 0                              |
| Hillside PD (NJ)                          | 68             | \$1,599,000   | 2                                 | None indicated                                            | None indicated                        | None indicated                 |
| Howard County PD (MD)                     | 469            | \$191,053     | 4                                 | 0                                                         | 0                                     | 0                              |
| Jackson Township PD (OH)                  | 45             | \$20,400      | 2                                 | 0                                                         | 0                                     | 0                              |
| Kileen PD (TX)                            | Unknown        | \$160,000     | 3                                 | None indicated                                            | None indicated                        | None indicated                 |
| Lennox PD (SD)                            | 4              | 0             | 0                                 | 0                                                         | 0                                     | 0                              |

|                                         |             |                     |            |                |                |                |
|-----------------------------------------|-------------|---------------------|------------|----------------|----------------|----------------|
| Lincolnton PD (NC)                      | 119         | 0                   | 0          | 0              | 0              | 0              |
| Montezuma PD (CO)                       | 32          | 0                   | 0          | 0              | 0              | 0              |
| Naperville PD (IL)                      | 162         | \$418,000           | 4          | 0              | 0              | 0              |
| Nettleton PD (MS)                       | 5           | 0                   | 0          | 0              | 0              | 0              |
| New Bedford PD (MA)                     | 250         | \$25,000            | 2          | 0              | 0              | 0              |
| New Hampshire State Police              | 353         | \$205,000           | 1          | 0-1            | 0-1            | Unknown        |
| Omaha PD (NE)                           | 830         | \$1,809,500         | 17         | 0              | 0              | 0              |
| Overland Park PD (KS)                   | 245         | \$2,300,000         | 1          | 0              | 0              | 0              |
| Phelps County Sheriff's Office (MO)     | 27          | \$921,402           | 3          | None indicated | None indicated | None indicated |
| Plattsburgh PD (NY)                     | 46          | \$290,000           | 2          | 0              | 0              | 0              |
| Pocatello PD (ID)                       | 91          | Unknown             | 1          | 0              | 0              | 0              |
| Prentiss County Sheriff's Office (MS)   | 17          | Unknown             | Unknown    | 0              | 0              | 0              |
| Pueblo County Sheriff's Office (CO)     | 180         | \$1,166,500         | 8          | None indicated | None indicated | None indicated |
| Raleigh PD (NC)                         | 756         | \$3,723,695         | 32         | None indicated | None indicated | None indicated |
| Sandy City PD (UT)                      | 101         | 0                   | 0          | 0              | 0              | 0              |
| Santa Fe PD (NM)                        | 177         | \$485,000           | 7          | None indicated | None indicated | None indicated |
| St. Mary's County Sheriff's Office (MD) | 209         | \$75,000            | 1          | 0              | 0              | 0              |
| Summit County Sheriff's Office (OH)     | 332         | \$2,562,451         | 6          | 0              | 0              | 0              |
| Town and Country PD (MO)                | 29          | 0                   | 0          | 0              | 0              | 0              |
| Waco PD (TX)                            | 251         | 0                   | 0          | 0              | 0              | 0              |
| Washoe County Sheriff's Office (NV)     | 426         | 0                   | 0          | 0              | 0              | 0              |
| Waterloo PD (IA)                        | 120         | 1,123,999           | 7          | 0              | 0              | 0              |
| <b>Totals</b>                           | <b>7079</b> | <b>\$19,959,301</b> | <b>167</b> | <b>0-1</b>     | <b>0-1</b>     | <b>Unknown</b> |

## APPENDIX G: SOURCE TABLE FOR RESPONSIVE LARGER JURISDICTIONS

In 2012, I asked the seventy largest law enforcement agencies across the country for records reflecting the amount paid to resolve police misconduct lawsuits and any instances in which they denied officers indemnification and/or required them to contribute to a settlement or judgment against them in the years 2006-2011. I reported the jurisdictions' responses in Joanna C. Schwartz, *Police Indemnification*, 89 NYU L. Rev. 885 (2014). In 2024, I submitted public records requests to the same seventy agencies, seeking the same information for the years 2018-23. This appendix describes the data sources for information about the XX largest jurisdictions that provided responsive information about payouts and indemnification decisions/officer contributions for 2018-2023, listed alphabetically. In several instances, noted in the appendix, I have supplemented jurisdictions' responses to my public records requests with my own research and interviews. I have also included these jurisdictions' responses to the requests for data for the 2006-2011 study period. Data about full-time sworn officers is taken from the 2018 BJS Census, *supra* note \_\_\_\_.

**Albuquerque Police Department (NM) (860 full-time sworn officers).** For data about the amount paid to plaintiffs in cases involving the Albuquerque police department and its officers in the years 2018-2023, see Email from Matthew Gomez, IPRA Specialist, Office of the City Clerk, to author (Aug. 29, 2024, 10:26 AM) (attaching court files).

No Albuquerque officer contributed to a settlement or judgment in the years 2018-2023. See Email from City of Albuquerque Public Records to author (Sept. 17, 2024, 12:43 PM) ("We don't believe that any officers were denied indemnification during that time. We do not necessarily have search tools to identify this but no one we asked could recall an instance of this happening.").

A Westlaw search of "Albuquerque /s police & punitive! & trial" between January 1, 2017 and Dec. 31, 2023, revealed no case in which punitive damages were awarded.

For indemnification decisions/officer contributions in the years 2006-2011, see *Police Indemnification* at 996 (reporting the deputy city attorney represented that there were no police officer contributions to a settlement or a judgment during the study period).

**Atlanta Police Department (GA) (1,680 sworn officers).** For data about the amount paid to plaintiffs in cases involving the Atlanta police department and its officers in the years 2018-2023, see Email from Amber A. Robinson, Special Counsel, to author (June 3, 2024) (attaching records reflecting eight civil rights cases resolved for \$2,868,000 and 38 total cases resolved for \$4,448,000 between 2020 and 2024). Based on this data, I estimated that Atlanta would have paid \$3,441,600 in ten civil rights cases and \$5,337,600 in 46 cases over a six-year period.

Atlanta represented that it does not maintain records about its indemnification decisions. See Email from Amber Robinson, Special Counsel, City of Atlanta Department of Law, to author (June 4, 2024) ("The Department of Law does not maintain records in its custody in a manner which would permit it to identify records which are responsive to your question [regarding any instances in which officers have been denied indemnification]; and I am unaware of any agency which would track this information."). Court documents and correspondence with plaintiffs' attorneys in the eight civil rights cases disclosed by Atlanta confirm that officers did not contribute to settlements in seven of the eight cases. In one case,

*Goldring v. Henry*, a jury awarded the plaintiff \$1.5 million after trial in a malicious prosecution case against an individual officer; when the city would not agree to indemnify the officer, the plaintiff began collection proceedings and garnished his wages, and ultimately the case settled with the city paying \$1.375 million. See Email from Jeff Filipovits to author (May 6, 2026, 8:35 AM). The officer paid \$9,744.51 the course of the garnishment proceedings, but did not contribute to the \$1.375 million settlement. See Email from Jeff Filipovits to author (May 6, 2026, 12:32 PM).

A Westlaw search of “Atlanta /s police & punitive! & trial” between January 1, 2017 and Dec. 31, 2023, revealed one case in which punitive damages were awarded during the study period: In 2022, in *Edwards v. Grubbs*, the jury awarded \$20 million in compensatory damages and \$20 million in punitive damages against an officer, and \$60 million in compensatory damages against the City of Atlanta. *Edwards v. Blasingame v. Grubbs*, No. 19-cv-2047, 2023 WL 3243484 (N.D. Ga. Mar. 30, 2023). The district court granted the city a renewed motion for judgment as a matter of law and granted the officer’s motion for remittitur, effectively reducing the punitive damages verdict to \$1 million, and the Eleventh Circuit affirmed. *Edwards v. Grubbs*, 169 F.4<sup>th</sup> 1261 (11<sup>th</sup> Cir. 2026). The case is still pending.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 991 (reporting that the assistant city attorney was “not aware of any circumstances in the period...in which individual officers contributed to any payment of claims or damage awards.”)

**Austin Police Department (TX) (1,837 sworn officers).** For data about the amount paid to plaintiffs in cases involving the Austin police department and its officers in the years 2018-2023, see Email from City of Austin PIR Team, to author (Aug. 1, 2024 3:38 PM) (attaching records).

No Austin officer contributed to a settlement or judgment in the years 2018-2023. Email from Chris Coppola, Division Chief, General Counsel, Austin City Attorney’s Office, to author (Apr. 30, 2026) (“the City of Austin did not require any APD officers to contribute to any settlements paid on their behalf in civil cases in the years 2018-2023.”).

A Westlaw search of “Austin /s police & punitive! & trial” between January 1, 2017 and Dec. 31, 2023, revealed one case in which punitive damages were awarded during the study period: in 2021, in *Nobles v. Egal*, the jury awarded \$67,107,500, including \$187,500 in punitive damages against one officer and \$150,000 in punitive damages against another officer. The compensatory damages were reduced but the punitive damages awards were not. *Nobles v. Egal*, 19-cv-0389, 2002 WL 3971048, at \*16 (W.D. Tex. Aug. 31, 2022). Ultimately, the case settled for \$3.3 million with the entirety paid by the city.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 994 (reporting that the division chief of the city attorney’s office reported no officer contributions during the study period).

**Baltimore County Police Department (MD) (1,885 sworn officers).** For data about the amount paid to plaintiffs in cases involving the Baltimore county police department and its officers in the years 2018-2023, see Email from Baltimore County Office of Law to author (June 28, 2024 7:49 AM) (attaching a spreadsheet of payments). The spreadsheet did not differentiate by case type; by reviewing each available

docket on Bloomberg law (and searching for news coverage of cases), I was able to identify a (likely underinclusive) set of civil rights cases.

No Baltimore County officer contributed to a settlement or judgment in the years 2018-2023. See Email from Baltimore County Office of Law, to author (July 25, 2025, 9:39 AM) (reporting that “[t]he County to date has always indemnified being consistent with §5-303 of the Maryland Courts and Judicial Procedures Article,” which requires indemnification of compensatory damages against officers acting in the course and scope of their employment, and allows indemnification for punitive damages unless “the law enforcement officer has been found guilty under §3-108 of the Public Safety Article as a result of the act or omission giving rise to the judgment, if the act or omission would constitute a felony under the laws of this State.”).

A Westlaw search of “Baltimore /s police & punitive! & trial” between January 1, 2017 and Dec. 31, 2023, revealed no cases in which punitive damages were awarded against Baltimore County officers.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 998 (reporting that an attorney at county attorney’s office observed: “Generally, as long as the PO is acting within the scope of the employment, we will indemnify...There can’t be that many where we actually refused...I think I could probably count on one hand, at most, if we had done so. Maybe one or two instances. It’s not something that has happened a lot.”).

**Broward County Sheriff’s Office (FL) (1,467 sworn officers).** For data about the amount paid to plaintiffs in cases involving the Broward county sheriff’s office and its deputies in the years 2018-2023, see Email from Broward Sheriff’s Office Public Records Unit, to author (July 15, 2024 5:34 AM).

No Broward County sheriff’s deputy contributed to a settlement or judgment in the years 2018-2023. See Email from John Greene, Director, Risk Management Division, Broward Sheriff’s Office, to author (May 18, 2026 10:51 AM).

A Westlaw search of “Broward /s sheriff & punitive!” in Florida state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 991 (reporting that the claims manager for the Broward County Sheriff’s Office represented: “To the best of my knowledge and our database, no deputies have contributed financially to a settlement.”).

**California Highway Patrol (CA) (7,386 sworn officers).** For information about the amount paid to plaintiffs in cases involving the California Highway Patrol and its officers from 2018-2023, see Email from Joanna Titman, California Highway Patrol, to author (July 2, 2026, 7:56 AM) (attaching settlement agreements); Email from L.A. Sellas, Commander, Office of Risk Management, to author (Sept. 23, 2024) (attaching records of judgments). Note that the California Highway Patrol’s response does not include cases involving auto accidents. Id. Accordingly, I estimated the total amount of settlements and judgments involving the department’s officers.,

For indemnification decisions/officer contributions in the years 2018-2023, see Email from Subashini Abeywickrama, Associate Governmental Program Analyst, Public Records Unit, to author (Sept. 30, 2024) (reporting that “there are no records of indemnification denials,” and referencing California Government Code §825, which provides that employers are required to indemnify their officers for conduct in the course and scope of their complaint). California Highway Patrol provided one document reflecting that an officer was denied representation because the officer was “off-duty and in his personal vehicle.” Memorandum from Department of California Highway Patrol Office of Legal Affairs to Chief M.C. Dust (Feb. 17, 2023).

For information about punitive damages awards in the study period, see *id.* (explaining that “[p]unitive damages were never awarded against the Department, nor were they awarded against any defendant employees.”)

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 984 (reporting that two officers who had publicly disseminated crime scene photographs were denied indemnification but the claims against them were dismissed pretrial).

**Charlotte-Mecklenburg Police Department (NC) (1,972 sworn officers).** For information about the amount paid to plaintiffs in cases involving the Charlotte-Mecklenburg police department and its officers from 2018-2023, see Email from Public Records, Office of the City Clerk, to author (Aug. 7, 2024 7:59 AM) (attaching records).

No Charlotte-Mecklenburg Police officer contributed to a settlement or judgment in the years 2018-2023. See Email from Public Records, Office of the City Clerk, to author (Aug. 7, 2024) (reporting that “[t]he City did not deny indemnification for any employee”).

A Westlaw search of “Charlotte /s police & punitive!” in North Carolina state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 991 (reporting that the senior Assistant City Attorney represented: “I have checked with the City’s Division of Risk Management, and we are not aware of any matter where indemnification did not occur...”).

**Chicago Police Department (IL) (12,846 sworn officers).** Chicago’s Finance Committee publishes spreadsheets setting out annual payments in all cases involving its employees. To determine the total amount paid in civil rights and all cases, I sorted these spreadsheets by the police department. There is a separate column for fees and costs, although the designation of a payment as a fee and cost appears somewhat haphazard; for example, the city paid \$2.3 million to settle a shooting case brought by Jaquise Evans, Fran Spielman, City Council Approves \$2.3M Settlement to Jaquise Evans, Chicago Sun Times (Apr. 18, 2018), but in the 2018 spreadsheet, there are two entries for the case, 15-c-7461, which settled pre-trial; a payment of \$500,000, and fees and costs of \$1.8 million. Accordingly, I have included both the payout amount and fees and costs in the calculation of payments to plaintiffs.

The Chicago Department of Law represents that it does not have information about its indemnification decisions or officer contributions in the years 2018-2023, See Email from Lexie Heinemann, Public Relations Representative, Department of Law, to author (June 5, 2024) (reporting that, “[a]fter consulting multiple divisions within the Department of Law, it has been determined that the Department of Law does not possess records responsive to your request.”). But the City of Chicago did confirm that “it does not pay punitive damages awarded against individuals.” Email from Lexie Heinemann, Public Relations Representative, Chicago Department of Law, to author (May 6, 2026).

A search of Chicago’s litigation reports from 2018-2023 and a Westlaw search of “Chicago /s police & punitive! & trial” between January 1, 2017 and Dec. 31, 2023 revealed that juries awarded punitive damages against Chicago police officers in eight cases during the 2018-2023 study period.

In 2018, in *Cooper v. City of Chicago*, 16-cv-3519, the plaintiff was awarded \$125,000 in compensatory damages and \$425,000 in punitive damages and the plaintiff agreed to a release and satisfaction of judgment with Chicago satisfying the compensatory damages award and attorneys’ fees. The city’s finance committee reports reflect payment of \$431,614 in 2019. In November 2018, the court granted the plaintiff’s request for a wage garnishment order. Wage Garnishment Order, *Cooper v. City of Chicago*, 16-cv-3519 (filed Nov. 15, 2018). Three months later, while the case was on appeal, the plaintiff agreed to cease wage garnishment and the five individual defendants agreed to pay a total of \$127,000 (30% of the total punitive damages award): Three defendants paid \$30,000 each, one paid \$22,500, and one paid \$15,000. Release and Satisfaction of Judgment, *Cooper v. City of Chicago*, No. 18-3019 (7<sup>th</sup> Cir. Feb. 23, 2019); Agreed Order to Cease Wage Garnishment, *Cooper v. City of Chicago*, 16-cv-3519 (filed Feb. 26, 2019).

In 2019, in *Davis v. City of Chicago*, the plaintiff was awarded \$5.097 million in compensatory damages and \$29,230 in punitive damages. See Jeremy Gorner, Cook County Jury Awards \$5.1 Million in Damages in Fatal Shooting by Chicago Cop in 2014, *Chi. Trib.* (May 13, 2019), <https://www.chicagotribune.com/2019/03/22/cook-county-jury-awards-51-million-in-damages-in-fatal-shooting-by-chicago-cop-in-2014/>. Emails to the plaintiff’s attorney went unanswered.

In 2019, in *Andersen v. City of Chicago*, 16-cv-1963, a wrongful conviction case, the jury awarded \$7.55 million compensatory damages and \$10,000 in punitive damages against one officer. Counsel for the plaintiff does not recall whether the officer was required to satisfy the punitive damages award, see Email from Jon Loevy to author (May 11, 2026 11:08 AM), but the docket reflects a global settlement (including attorneys’ fees) and no evidence of any collection efforts against the officer.

In 2020, in *Wrice v. Byrne*, 14-cv-5934, in a jury awarded \$4 million in compensatory damages and \$1.2 million in punitive damages against two officers. The plaintiff and the city settled all claims—except those for punitive damages—for \$6 million. Release, Satisfaction of Judgment, and Settlement Agreement, *Wrice v. City of Chicago*, Nos. 19-304, 20-2374 (7<sup>th</sup> Circuit Mar. 26, 2021). “The Wrice award was not reduced by the court or pursuant to any agreement between the parties—including the \$1.2 million punitive damages award. However, virtually none of the punitive damages award was paid. One of the defendant officers paid a total of \$0 and the other made at most 2 payments for no more than a couple hundred dollars.” Email from Jennifer Bonjean to author (May 7, 2026 10:08 PM).

In 2021, in *Kaufman v. City of Chicago*, 17-cv-7491, the jury awarded \$35,700 in compensatory damages and \$18,000 in punitive damages. There is no indication in the docket that there were efforts to collect from the officer. The city's finance reports reflect that the city paid \$553,011 in damages and fees.

In 2018, in *Rivera v. Guevara*, 12-cv-4428, the jury awarded plaintiff \$17 million in compensatory damages and a total of \$175,000 in punitive damages against three officers. See Notification of Docket Entry (6.29.18), *Rivera v. Guevara*, no. 12-cv-4428 (N.D. Ill. June 7, 2012). The case settled for \$18.75 million, paid by the city, with no contribution by the officers. Release, Satisfaction of Judgment, and Settlement Agreement, *Rivera v. Guevara*, No. 12-cv-4428 (7<sup>th</sup> Cir. Mar. 25, 2020).

In 2018, in *Bryant v. Cummins*, 11-cv-1345, the jury awarded \$65,000 in compensatory damages and a total of \$10,000 in punitive damages against two officers. Minute Entry (3.18.18), *Bryant v. Cummins*, No. 11-cv-1345 (N.D. Ill. Feb. 25, 2011). The plaintiff received the \$65,000 in compensatory damages but never received the punitive damages award. Email from Elliot Zinger to author (Apr. 29, 2026).

In 2018, in *Kuri v. Folino*, 13-cv-1653, the jury awarded \$4 million in compensatory damages and a total of \$50,000 in punitive damages against two officers. Minute Entry (10.2.18), *Kuri v. Folino*, 13-cv-1653 (N.D. Ill. Mar. 4, 2013). The case settled post-trial with no payment by the officers. Email from David Owens to author (May 1, 2026).

There may be other instances in which officers were required to contribute to settlements or judgments against them; I was informed of two such cases, in which officers made modest contributions in years outside the study. See Email from Jon Loevy to author (May 11, 2026 11:08 AM) (referencing two cases in which officers contributed to settlements; in one, *Kunz v. City of Chicago*, the officer was retired; in the other, *Harold Hill v. City of Chicago*, two officers paid \$8,000 each to settle the case).

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 987 (reporting that the Freedom of Information Officer for the City of Chicago Law Department represented: "[t]he only way we would know" whether an officer was indemnified "is to review cases individually, which we couldn't do.")

**Cleveland Police Department (OH) (1,542 sworn officers).** For data about the amount paid to plaintiffs in cases involving the Cleveland police department and its officers from 2018-2023, see Email from Cleveland Public Records Center to author (Jan. 2, 2025 10:11 AM) (attaching a listing of cases). This list includes civil rights and non-civil rights cases. See Email from William M. Mezalora, Chief Assistant Director of Law, to author (May 19, 2026). Accordingly, I searched the cases by docket to determine their case type; I have only categorized cases as civil rights when I could confirm they included civil rights allegations.

One Cleveland police officer contributed to a settlement or judgment in the years 2018-2023. See Email from William M. Menzalora, Chief Assistant Director of Law, to author (Apr. 30, 2026) ("From reviewing records and the collective memory of those in question best able to provide what is believed to be an accurate answer to your question, during the time period of 2018-2023, the City of Cleveland denied providing a legal defense to one police officer. However, the litigation settled before the City had

to make a final determination on the issue of indemnification.”). That case, *Yatsko v. Graziolli*, 18-cv-0814 (N.D. Ohio Apr. 10, 2018), alleged an off-duty police officer shot and killed Thomas Yatsko; the case settled with \$750,000 paid by the city and \$7500 paid by the officer, in \$500 installments.

A Westlaw search of “Cleveland /s police & punitive!” in Ohio state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 992 (reporting that the chief trial counsel for the Cleveland Department of Law represented that two officers contributed to settlements during the study period; one paid \$25,000 to resolve an excessive force case and another assigned \$12,000 he was owed from an off-duty security job to resolve a wrongful death case that occurred while on that job). There were two cases in which officers were denied indemnification between these study periods, but officers did not ultimately contribute to the settlements in either case. For discussion of these cases, see Kyle Swenson, *How Cleveland’s Trying to Get Out of Paying \$18.7 Million in Judgments Against Two Cleveland Police Officers*, Cleveland Scene (Jan. 13, 2016); John Caniglia, *Cleveland Agrees to Pay \$4.85 Million to Wrongfully Convicted Man Who Spent 11 Years in Prison*, Cleveland.Com (Dec. 1, 2020); Eric Heisig, *Cleveland Agrees to Pay \$3.7 Million to Family of Euclid Man Killed By Off-Duty Officer in 2012*, Cleveland.Com (Sept. 25, 2018).

**Columbus Police Department (OH) (1,850 sworn officers).** For information about the costs of settlements and judgments from 2018-2023, see Email from Joshua P. Monroe, Assistant City Attorney, to author (June 6, 2024 9:44 AM) (attaching spreadsheet). Note that the data provided by the city attorney’s office may significantly underreport payouts; an Axios investigation found that “Columbus paid out over \$21.5 million between 2018-2023 to settle complaints against the Division of Police.” Tyler Buchanan, *Columbus Police Settlements Are Common and Costly*, Axios (Apr. 3, 2024), <https://www.axios.com/local/columbus/2024/04/03/police-settlements-shootings-ohio>

No Columbus officer contributed to a settlement or judgment in the years 2018-2023. See Email from Pete J. Shipley, Communications Director, Columbus City Attorney (Sept. 18, 2024) (reporting that Columbus indemnified its officers in every case).

A Westlaw search of “Columbus /s police & punitive!” in Ohio state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For the years 2006-2011, Columbus reported that it had never declined to indemnify an officer for a verdict based on compensatory damages; approximately 20 years prior, a jury had awarded punitive damages against an officer (which the city cannot indemnify) but the city settled the case post-trial and the officer paid nothing. See Letter from Glen B. Redick, Chief Litigation Attorney, to author (June 20, 2012).

**Cook County Sheriff’s Department (IL) (4,888 sworn officers).** For information about the costs of settlements and judgments from 2018-2023, see Letter from Charita Callaway, FOIA Officer, to author (June 21, 2024) (attaching 696 pages of court documents and letters requesting Cook County approve settlements). I included in “civil rights” cases all cases concerning failure to protect; use of force; denial/delay of medical treatment; conditions of confinement; and “other” (which often were cases

involving ADA and religious accommodation claims). I excluded auto liability; labor and employee; medical malpractice; and property damage.

The Cook County office of the state's attorney reports that it "has not found any documents in [its] possession" reflecting any instance in which a Cook County deputy was denied indemnification and/or contributed to a settlement or judgment in the years 2018-2023. See Letter from Charita Callaway, FOIA Officer, to author (June 21, 2024).

A Westlaw search of "'Cook County' /s police & punitive!" in Illinois state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 985 (reporting that the executive assistant state's attorney for policy represented: "[I]f a deputy sheriff is acting within the scope of his employment (as Illinois law defines that principle), then the county will be liable for any judgment or settlement of compensatory damages entered against that deputy sheriff in a Section 1983 action."), and *id.* (finding no cases during the study period in which punitive damages were awarded).

**Denver Police Department (CO) (1,541 sworn officers).** For information about the costs of settlements and judgments from 2018-2023, see Letter from Katie McLoughlin, Deputy City Attorney, City Attorney's Office, City and County of Denver, to author (Aug. 2, 2023 (attaching records)).

No Denver police officer was denied indemnification or contributed to a settlement or judgment in the years 2018-2023. See Email from Ashley Kelliher, Civil Litigation Director, City Attorney's Office, City and County of Denver, to author (May 18, 2026 9:13 AM).

A Westlaw search of "Denver /s police & punitive!" in Colorado state and federal courts between January 1, 2017 and December 31, 2023 revealed three cases in which juries awarded punitive damages against Denver police officers during the 2018-2023 study period.

In 2022, in *Epps v. City and County of Denver*, a jury awarded \$1.375 million in compensatory damages and \$250,000 in punitive damages against one officer, Christian, for constitutional violations inflicted during a protest following the murder of George Floyd. *Epps v. City and County of Denver*, 20-cv-1878, 2022 WL 2305215 (D. Colo. Sept. 19, 2022). Epps was represented by attorneys from the Denver City Attorney's office, as well as private counsel. But in his motion to reduce the punitive damages award, Officer Christian argued that "[e]xcessive [punitive damages] awards against individuals can inflict great harm not only on the wrongdoer, but also on the wrongdoer's innocent dependents and, upon bankrupting a family, can inflict further charges on the public treasury." at 9 (May 13, 2022). Officer Christian additionally argued that his limited resources militated in favor of a reduced punitive damages verdict: "Mr. Christian is a former police officer...[who] as a police officer made less in a year than one-half of the punitive damages awarded against him. The punitive damages award here is not only enough to send a message, but it has the potential to bankrupt Mr. Christian." Motion for Judgment as a Matter of Law, or a New Trial, or Remittitur from Defendant Jonathan Christian, 20-cv-1878, Document 374 at 13 (May 13, 2022). Anticipating that the plaintiff would argue the officer would be indemnified for the punitive

damages award, Officer Christian argues that this possibility should be irrelevant to the due process analysis, especially given that the indemnification decision will be made after post-judgment rulings: “Based on the discretion afforded City Council, it would be improper for this Court to assume Denver will ultimately agree to indemnify Mr. Christian from the punitive damage award by the city.” *Id.* at 13. The district court reduced the punitive damages to \$50,000, concluding that \$50,000 “would be a fair and not excessive punishment for the wrong [the officer] committed against Ms. Epps.” *Epps v. City and County of Denver*, 20-cv-1878, 2022 WL 2305215, at \*11 (D. Colo. Sept. 19, 2022). The decision was affirmed on appeal. *Epps v. Christian*, 173 F.4<sup>th</sup> 1236 (10<sup>th</sup> Cir. 2026). As of May 2026, no payment had been made. Email from David Owens to author (May 19, 2026).

In 2022, in *Valenzuela v. Coleman*, 18-cv-0329, a jury awarded \$200,000 in compensatory damages and \$300,000 in punitive damages against Denver police officer Coleman, who drafted a probable cause statement to support the arrest of Juan Valenzuela for felony forgery based only on the fact that he tried to board a flight with an expired California identification card. 2022 WL 2528330 at \*1 (July 7, 2022). The court refused to remit the punitive damages award, finding that the emotional injury suffered by the plaintiff, the plaintiff’s “financial vulnerability,” and the fact that the officer had “authored at least three other similarly deficient and conclusory probable cause statements in other cases” supported the jury’s conclusion that “Defendant’s reckless disregard for Plaintiff’s constitutional rights was neither accidental nor negligent” and the amount of the award. *Id.* at \*\*9-10. The case ultimately settled, with \$1,014,481 paid by the city and Officer Coleman paying nothing.

In *Arend v. Paez*, the plaintiff alleged a Denver police officer kidnapped and sexually assaulted a woman while on the job. *Arend v. Paez*, 12-cv-1270, 2019 WL 2726231 (D. Colo. July 1, 2019). The officer was convicted of both kidnapping and sexual assault, fired, and sentenced to prison. *Id.* at \*1. In 2018, in the civil case, the jury awarded the plaintiff \$167,250 in compensatory damages and \$100,000 in punitive damages. *Id.* Denver did not indemnify the officer and the officer, who is still in prison, has paid nothing; the plaintiff’s attorney expects that when he is paroled and gets a job “we will have to...follow him around and garnish his wages.” Michael Roberts, *The Eight-Year Ordeal of a Woman Sexually Assaulted by a Denver Cop*, *Westword* (Nov. 12, 2018), <https://www.westword.com/news/hector-paez-the-eight-year-ordeal-of-denver-police-officers-sexual-assault-victim-10983675/>. The attorney notes that “we’re going to have a hell of a time collecting” against the officer, but that her client “feels some vindication, she feels a little bit of relief.” *Id.*

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 993 (Representative from the Denver Department of Law reported that “it is his understanding that officers were indemnified for all the settlements and judgment paid between September 2008 and December 2011—which were the only litigation records the department had for the study period).

**El Paso Police Department (TX) (1,071 sworn officers).** For the amount paid to plaintiffs in cases against the El Paso police department and its officers in the years 2018-2023 see Email from Mary LaRue, Certified Paralegal, Public Records Coordinator, City of El Paso, to author (July 8, 2024 12:45 PM) (attaching a spreadsheet that identifies the case type and facts).

El Paso has a policy of not indemnifying its officers. See Email from Karla Mariana Nieman, El Paso City Attorney, to author (Apr. 28, 2026) (confirming that city policy is never to indemnify its officers

for settlements and judgments, but may decide to pay settlements on officers' behalf in certain circumstances). Yet correspondence with plaintiffs' attorneys and review of court records confirm that no officers contributed to settlements or judgments to any civil rights settlement or judgment in this period.

A Westlaw search of “‘El Paso’ /s police & punitive!” in Texas state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 906 (reporting that the deputy city attorney represented that the city provides all officers with a lawyer but “in no case do we indemnify”). Note that no officer contributed to a settlement or judgment during the 2006-2011 study period. See *id.* at 995.

**Fairfax County Police Department (VA) (1,389 sworn officers).** For the amount paid to plaintiffs in lawsuits against the Fairfax County police department and its officers in the years 2018-2023, see email from Patrick Jaicomo to author (June 17, 2024 8:26 AM) (appending Fairfax's response to the public records request, which included a list of cases resolved during the study period).

Fairfax County did not directly respond to my request for information about indemnification decisions/officer contributions in the years 2018-2023, but produced a report of cases resolved during that period reflecting only two cases in which plaintiffs received payment. See *id.* Attorneys for the plaintiffs in those two cases confirmed that officers did not contribute to either settlement. See Email from Elias G. Saboura-Polkovotsy to author (May 6, 2026 10:46 AM); Email from Thomas F. Hennessy to author (May 6, 2026 10:51 AM).

A Westlaw search of “‘Fairfax /s police & punitive!” in Virginia state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 999 (reporting that the senior assistant county attorney represented that no responsive documents existed).

**Fort Worth Police Department (TX) (1,717 sworn officers).** For payments to plaintiffs in cases against the Fort Worth police department and its officers in the years 2018-2023, see Email from Shoshanna Cordova, Fort Worth Law Department, to author (June 13, 2024 3:16 PM) (attaching a list of cases). Through review of the case dockets on Bloomberg Law, I was able to identify four civil rights cases in the list of sixteen.

No Fort Worth officer contributed to a settlement or judgment in the years 2018-2023. See Email from Shoshanna Cordova, Law Department, to author (June 13, 2024) (reporting that, “[i]n accordance with governing law, the City would not indemnify an individual if a judgment were to be rendered against them for civil rights violations. During the time period specified, no such judgments have been rendered against Fort Worth Police Department employees; therefore, no indemnification has been declined with regard to compensatory or punitive damages.”).

A Westlaw search of “‘Fort Worth’ /s police & punitive!” in Texas state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 994 (reporting that an assistant city attorney reported that the “only occurrence during the applicable time period where the City declined to indemnify an officer” was still pending; the officer in question was sued for driving the plaintiffs to remote locations in his patrol car and sexually assaulting them). In that case, *Davidson v. City of Fort Worth*, summary judgment was granted to the city, *Davidson*, 11-cv-0713-A, 2012 WL 3778832 (N.D. Tex. Aug. 30, 2012), and then the plaintiff voluntarily dismissed the claim against the officer without prejudice, Final Judgment, *Davidson v. City of Fort Worth*, No. 11-cv-0713 (N.D. Oct. 10, 2011) (Sept. 4, 2012). An attorney for Davidson confirmed that the officer did not pay anything to resolve this case. Email from Chip N. Searcy to author (Apr. 6, 2026).

**Illinois State Police (IL) (1,631 sworn officers).** For payments to plaintiffs in cases against Illinois State Police officers in the years 2018-2023, see Letter from Elizabeth J. Ptacek, Assistant Attorney General, FOIA Officer, to author (Aug. 9, 2024) (attaching a spreadsheet with twenty-six cases; settlement amounts were not reported for four of those cases). Through review of the case dockets on Bloomberg Law, I was able to identify ten civil rights cases in the list of twenty-six.

For the years 2018-2023 the Attorney General reported that it did not have responsive information about indemnification decisions. Letter from Elizabeth Ptacek, Assistant Attorney General, to author (July 26, 2024). When I followed up, I was informed that there was one instance during the time period in which officers were denied representation—but that information was privileged. See Letter from James M. Gale to author (Apr. 13, 2026). Review of the case dockets revealed one case in which an Illinois State Police officer was not represented by the state; the officer was accused of sexual assault and harassment of another employee of the ISP. *Kromm v. Illinois State Police*, 19-cv-2612 (May 21, 2019). The Illinois State Police did not disclose the terms of the settlement or whether the officer contributed.

For the years 2006-2011, the Illinois State Police reported that they did not keep information about indemnification decisions, but a representative offered that she could remember two times officers were denied indemnification, although she could not remember if those instances were in the study period. Police Indemnification at 988.

**Jacksonville Sheriff’s Office (FL) (1,668 sworn officers).** For the amount paid to plaintiffs in cases against the Jacksonville sheriff’s office and its deputies, see email from Angie Brown-Wilson, Public Records Request Coordinator, to author (Oct. 9, 2024) (attaching spreadsheet). The spreadsheet does not differentiate by case type and does not include case numbers that could be searched on Bloomberg; by searching for news coverage of the plaintiffs’ names, I was able to identify an almost certainly underinclusive set of civil rights cases. When I asked for a spreadsheet including only civil rights claims, I was told that such a document does not exist. See Email from COJ Public Records Center to author (Aug. 10, 2026, 9:37 AM).

No Jacksonville officer contributed to a settlement or judgment in the years 2018-2023. See Email from Sean Granat, Deputy General Counsel, City of Jacksonville, Office of General Counsel, to author (May 1, 2026).

A Westlaw search of “Jacksonville /s sheriff & punitive!” in Florida state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 991 (reporting that the chief deputy general counsel recalled a use-of-force case in which an officer paid between \$5000 and \$20,000 from a family business, but did not recall when the case was resolved). Note that I have learned of one other case (between the two study periods) in which the Jacksonville Sheriff’s Office declined to indemnify three officers for punitive damages awards—\$10,000 against one officer, and \$1,500 each against two officers. Judgment in a Civil Case, *Johnson v. Dixon*, No. 3:14-cv-0579 (M.D. Fla. Dec. 31, 2015). The officers paid these punitive damages awards in full (after the plaintiff pursued collection proceedings against them). See email from Neil Henrichsen to author (Aug. 7, 2025).

**Kansas City Police Department (MO) (1,267 sworn officers).** For information about the amount paid to plaintiffs in cases against the Kansas City police department and its officers in the years 2018-2023, see Email from Nichole Johnson, Kansas City, MO Police Department, to author (Oct. 9, 2024 12:18 PM) (attaching spreadsheet). Based on a description of the claims in the spreadsheet, and additional docket review on Bloomberg Law, I was able to categorize the civil rights and non-civil rights claims.

No Kansas City officer contributed to a settlement or judgment in the years 2018-2023. See Email from Nichole Johnson, Kansas City Police Department Office of General Counsel, to author (Oct. 10, 2024) (reporting that “[n]o officers were denied indemnification” during the study period).

A Westlaw search of “‘Kansas City’ /s police & punitive!” in Missouri state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 994 (reporting that associate general counsel for the police department reported that no officers contributed to settlements or judgments during the study period).

**Los Angeles County Sheriff’s Department (CA) (9,407 sworn officers).** For the amount paid to plaintiffs in cases against the Los Angeles County sheriff’s department and its deputies in the years 2018-2023, see Letter from Mark W. Lomax, Deputy County Counsel, to author (July 29, 2024) (attaching spreadsheet with cases from 2018-mid 2022); Email from Mark W. Lomax to author (Aug. 27, 2024 11:28 AM) (attaching a spreadsheet with cases from mid 2022-2023). Mr. Lomax confirmed that the spreadsheets did not include information about employment, general liability, or auto liability cases. Accordingly, I have categorized them all as civil rights cases. I have also consolidated cases with multiple entries to determine the total number of cases with payments to plaintiffs.

No Los Angeles County sheriff’s deputy contributed to a settlement or compensatory damages judgment in the years 2018-2023. See email from Mark W. Lomax, Deputy County Counsel, to author (Sept. 20, 2024) (“We located no cases or claims in which indemnification for compensatory damages was denied.”).

A Westlaw search of “‘Los Angeles’ /s sheriff & punitive!” in California state and federal courts between January 1, 2017 and December 31, 2023 revealed two cases during the 2018-2023 study period in which juries awarded punitive damages against Los Angeles County sheriff’s employees. In 2019, in *Holmes v. Harris*, a jury awarded \$765,952 in compensatory damages and \$1.5 million in punitive damages. *Holmes v. Harris*, Joint Revised Judgment After Jury Verdict, 18-cv-3739 (C.D. Cal. July 11, 2019). The county agreed to pay the compensatory damages, but not the punitive damages award; Holmes has been seeking to enforce her judgment for several years. Email from Caleb Mason to author (June 4, 2026 11:42 AM). As of June 2026, lawyers for Holmes have obtained Harris’s house, one of her cars, and 25% of her monthly paycheck. See *id.*

In the second case, punitive damages were awarded by the jury before 2018, but the award was affirmed (and collected upon) during the 2018-23 study period. In 2014, in *Rodriguez v. County of Los Angeles*, 10-cv-6342, a jury found nineteen sheriff’s department employees liable for violating the constitutional rights of prisoners during cell extractions, and awarded \$740,000 in compensatory damages and \$210,000 in punitive damages against five supervisory defendants: \$75,000 against a former employee, Captain Daniel Cruz; \$60,000 against Commander Christopher Blasnek; \$30,000 each against Sergeant Michael McGratten and Lieutenant Matthew Ohnemus; and \$15,000 against Sergeant Kelley Washington. *Rodriguez v. County of Los Angeles*, 891 F.3d 776 (9<sup>th</sup> Cir. 2018). The Ninth Circuit refused to reduce the punitive damages awards, finding that the plaintiffs had “proved egregious, even shocking, abuses of power” by these five defendants. *Id.* at 806. Los Angeles County Board of Supervisors authorized the payment of punitive damages on behalf of four of the five defendants, denying indemnification of punitive damages only to former-Captain Cruz. Statement of Proceedings for the Regular Meeting of the Board of Supervisors of the County of Los Angeles, at 67 (Oct. 1, 2019). Plaintiffs’ attorney pursued collections against Captain Cruz; after putting a lien on his real estate, he paid the \$75,000 owed. See Email from James S. Muller to author (May 19, 2026 1:23 PM).

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 984 (reporting that senior deputy counsel at the law department represented that there was one case in which officers were denied indemnification, but that the case was still pending).

**Louisville Metro Police Department (KY) (1,282 sworn officers).** For the amount paid to plaintiffs in cases against the Louisville Metropolitan police department and its officers in the years 2018-2023, see Message from Louisville Metro Government to author (July 11, 2024) (attaching spreadsheet). Note that the spreadsheet provided by Louisville has a separate column for “expenses” that I did not include in the calculation of total paid to plaintiffs. The spreadsheet includes a description of the claims that allowed categorization of civil rights and non-civil rights cases.

No Louisville Metro police officer contributed to a settlement or judgment in the years 2018-2023. See Letter from Jeff Derouen, First Assistant, Jefferson County Attorney, to Jeff Belzley (Sept. 30, 2024) (“The Jefferson County Attorney’s Office conducted a search [for instances in which officers were denied indemnification]...We also used institutional knowledge to review a list of cases with your time period to identify potentially responsive records. We found no responsive records.”).

A Westlaw search of “Louisville /s police & punitive!” in Kentucky state and federal courts between January 1, 2017 and December 31, 2023 revealed two cases in which punitive damages were awarded.

In *Render v. Marlow*, a case alleging malicious prosecution and abuse of process, a jury awarded \$2,000,000 in compensatory damages and \$250,000 in punitive damages; the Kentucky Court of Appeals reversed and vacated the judgment. 2022 WL 981840 (Ky. Ct. App. Apr. 1, 2022). In 2019, in *Scheffler v. Lee*, a case alleging constitutional violations stemming from an arrest, the jury awarded \$2,000 in compensatory damages and \$5,000 in punitive damages. A filing with the court reports that these damages, plus \$78,326.81 in attorneys' fees and costs were satisfied. Satisfaction of Judgment, *Scheffler v. Lee*, 14-cv-0373 (W.D. Ky. July 7, 2020).

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 1000 (reporting that Louisville representatives represented that the department does not collect indemnification decisions).

**Memphis Police Department (TN) (1,955 sworn officers).** Memphis did not respond to my request for information about the amount spent to resolve lawsuits against Memphis police officers from 2018-2023, but a *Bloomberg* article reflects that Memphis paid \$11,457,700 to settle police misconduct claims in an overlapping six-year period, in fiscal years 2016-2021. Fola Akinnibi, Cost of Memphis Police Killing Likely to Fall on Residents, *Bloomberg* (Feb. 3, 2023), <https://www.bloomberg.com/news/articles/2023-02-03/cost-of-memphis-police-killing-likely-to-fall-on-residents>.

Although Memphis did not respond to my request for information about indemnification decisions/officer contributions in the years 2018-2023, counsel for the Memphis Police Association, who represents the officers, reports that no officer has had to pay anything to resolve lawsuits against them over the past thirty years. Telephone Interview with Betsey McKinney (Aug. 22, 2025).

A Westlaw search of "Memphis /s police & punitive!" in Tennessee state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

Memphis did not respond to my request for information about indemnification decisions/officer contributions in the years 2006-2011. Police Indemnification at 999.

**Michigan State Police (MI) (1,969 sworn officers).** For the amount paid to plaintiffs in cases against the Michigan State Police and its officers in the years 2018-2023, see Letter from Riley Modlin, Records Resource Section, to author (July 26, 2024) (attaching spreadsheet). The spreadsheet includes information about the type of case, allowing for categorization of civil rights cases. Several cases involve constitutional challenges to Michigan's Sex Offenders Registration Act (SORA). Although these cases do concern constitutional challenges, I have omitted them from the "civil rights" case category, as they do not directly allege constitutional violations by the police officers.

In response to my request for records of indemnification denials or officer contributions, the Michigan State Police reported that "the MSP is unaware of any such occurrence with an MSP member," but reported that it would need to conduct a thorough search of all settlement agreements during the time period and verify no records exist," which would take "a significant amount of labor" and would cost an estimated \$697.86. See Letter from Melissa Gardner, Records Resource Section, to author (June 3, 2026).

A Westlaw search of “‘Michigan state police’ & punitive!” in Michigan state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 991 (reporting the assistant FOIA director represented that the Michigan State Police did not decline to indemnify an officer during the study period).

**Montgomery County Police Department (MD) (1,287 sworn officers).** For the amount paid to plaintiffs in cases against the Montgomery County and its police officers, see Email from Diane Kilcoyne, Assistant County Attorney, to author (Sept. 12, 2024 12:37 PM) (attaching chart). The chart identifies which cases are civil rights cases.

No Montgomery County police officer contributed to a settlement or judgment in the years 2018-2023. See Email from Diane Kilcoyne, Assistant County Attorney, Division of Government Operations, Montgomery County Attorney’s Office, to author (May 4, 2026). Additionally, records produced of cases resolved between 2018-2023 included no indication of officer contribution.

A Westlaw search of “‘Montgomery County’ /s police & punitive!” in Maryland state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 995 (reporting that the city attorney’s office represented that there were no indemnification denials during the study period).

**Nashville-Davidson County Police Department (TN) (1,416 sworn officers).** In response to my request for information about payments to plaintiffs in cases against Nashville and/or its police officers, Nashville produced a list of open cases. See Email from Lora Fox, Associate Director of Law for the Metropolitan Government, to Alicia Haymon (Aug. 21, 2024) (attaching chart). Accordingly, I reviewed all federal civil rights cases naming Nashville-Davidson and/or its police officers; I found seven cases with settlements during the study period. Based on emails with attorneys, news reports, and city council records, I found \$3,906,000 in payments to resolve six of the seven cases.

No Nashville-Davidson police officer contributed to a settlement or judgment in the years 2018-2023. See Email from Lora Fox, Associate Director of Law for the Metropolitan Government, to Alicia Haymon (Aug. 21, 2024) (reporting that the department “has never refused to indemnify an individual defendant during the timeframe you cite.”).

A Westlaw search of “‘Nashville’ /s police & punitive!” in Tennessee state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

Nashville-Davidson did not respond to my request for information about indemnification decisions/officer contributions in the years 2006-2011. Police Indemnification at 999-1000 (reporting that the law department reported that “to provide [indemnification information], a manual review would

be needed of all litigation files involving the Metropolitan Nashville Police Department between 2006 and 2011.”).

**New Jersey State Police (NJ) (2,806 sworn officers).** The New Jersey State Police denied my request for information about indemnification decisions/officer contributions in the years 2018-2023, asserting that I was seeking information instead of specific records. Email from Division of State Police Records Custodian to author (Aug. 15, 2024, 1:43 PM). New Jersey law provides that the state will indemnify an officer if the Attorney General provides for their defense; during the 2018-2023 period, I identified two cases in which the Attorney General declined to represent an officer, and requested the settlement agreements in those cases. In one of those cases, New Jersey paid to settle the claim for \$17,500; in the other, brought by a *pro se* plaintiff, the case against the state was dismissed and the State represented it did not have a copy of the settlement with the individual officer in the case. See Email from Octavia Baker, DOL Records Custodian, to author (May 11, 2026 3:06 PM).

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 986 (reporting that a representative of the State Police represented that it did not have records about its indemnification decisions, but referenced New Jersey state law, which provides that the state will indemnify an officer if the Attorney General provides for their defense, and I confirmed that officers did not contribute to the eight cases during the period in which the Attorney General declined to represent an officer).

**New York City Police Department (NY) (36,392 sworn officers).** For the years 2018-2023, the New York City Law Department provided me with records reflecting the city’s payouts, but not indemnification information. See New York City Law Department email (June 4, 2024). This payout data provided by the Law Department is almost certainly incomplete. Even assuming that the Law Department numbers are limited to civil rights claims, they are significantly lower than those reported by the New York City Comptroller’s office, which reports payouts in “police action” claims—which allege “improper police conduct, such as false arrest or imprisonment, or excessive force—for the 2018-2023 period totaling \$546.5 million. New York City Comptroller, Annual Claims Report, Fiscal Year 2023, <https://comptroller.nyc.gov/reports/annual-claims-report/>. During that same period, the total paid in all types of claims amounted to \$1.39 billion. *Id.* An investigation revealed that the Law Department’s reports have omitted more than one billion in settlements. Kelly Grace Price, *How \$1.2 Billion in NYPD Civil Litigation Case Settlements and Monetary Awards Went Unreported*, City and State New York (Apr. 12, 2024), <https://www.cityandstateny.com/policy/2024/04/how-12-billion-nypd-civil-litigation-case-settlements-and-monetary-awards-went-unreported/395714/>. In Appendix A, I have included the amount paid in civil rights cases reported by the Law Department, and the amount paid in all cases by the Comptroller’s office.

New York City reportedly does not decline an officer indemnification or require them to contribute to a settlement or judgment unless they have declined representation. Police Indemnification at 982. Accordingly, I reviewed the spreadsheets of payouts provided to me by the New York City Law Department, and found a total of 84 cases: 11 from 2018; 14 from 2019; 11 from 2020; 19 from 2021; 15 from 2022; and 14 from 2023. I then submitted a public records request to New York City for the settlement agreements in these 84 cases, and called or emailed the attorneys who represented the

plaintiffs in each of these cases. I learned of 24 officers in 19 cases who were required to contribute to settlements.

A Westlaw search of “‘New York’ /s police & punitive!” in New York state and federal courts between January 1, 2017 and December 31, 2023 revealed thirteen cases in which punitive damages were awarded.

In 2018, in *Collado v. City of New York*, 11-cv-9041, the jury awarded \$4,325,000 in compensatory damages and \$10 million in punitive damages to the plaintiff, whose husband was fatally shot by an officer. 396 F. Supp. 3d 265 (S.D.N.Y. 2019). The district judge vacated the punitive damages award and reduce the compensatory damages award to \$4,311,991.95. *Id.* at 283. The named officers were represented by the city. The parties settled post-trial for \$5.5 million, including fees and costs. Order of Compromise, *Collado v. The City of New York*, 11-cv-9041, Document 178 (filed 10/24/19).

In 2022, in *Drayton v. City of New York*, 17-cv-7091, a case alleging false arrest and malicious prosecution, the jury awarded \$22,000 in compensatory damages and a total of \$10,000 in punitive damages against two officers. 2022 WL 16948769 (E.D.N.Y. Nov. 15, 2022). The court refused to reduce the punitive damages award. *Id.* at \*7. The named officers were represented by the city.

In 2018, in *Ekukpe v. Santiago*, 16-cv-5412, the jury awarded compensatory and punitive damages against two officers’ \$85,000 in compensatory and \$5,500 in punitive damages against Sergeant Ferrara and \$85,000 in compensatory and \$5,000 in punitive damages against Officer Juan Santiago. 2020 WL 7027613 (S.D.N.Y. Nov. 30, 2020). The district court denied the motion for remittitur and the Second Circuit affirmed. *Ekukpe v. Santiago*, 823 Fed. Appx. 25 (2d Cir. 2020). Ultimately, the court entered judgment against the officers in the amount of \$240,653.51, plus \$98,540.84 in fees and costs. Order, Nov. 30, 2020. After the verdict, the city declined to indemnify both officers. See Letter from Georgia M. Pestana, The City of New York Law Department, to Judge Analisa Torres, S.D.N.Y. (July 24, 2018). Neither the City nor the officers have paid anything to the plaintiff. See Email from Ed Sivin to author (May 27, 2026 8:48 AM).

In *Haskins v. Jackson*, 15-cv-2016, 2020 WL 6705640 (E.D.N.Y. Nov. 10, 2020), the jury awarded \$90,000 in compensatory damages and \$30,000 in punitive damages on claims for false arrest and related claims and the court denied the defendant’s motion to set aside the verdict. *Id.* at \*1. The city paid \$333,000 to resolve the case (including attorneys’ fees) with no contribution by the officer. Telephone interview with Michael Lumer (June 4, 2026); Stipulation of Settlement, *Haskins v. City of New York*, 15-cv-2016 (undated).

In 2018, in *Jennings v. Yurkiw*, 14-cv-6377, an excessive force case, a jury awarded \$500,000 in compensatory damages and \$2.5 million in punitive damages against three officers; the district court granted remittitur and ordered a new trial unless the plaintiff accepted \$115,000 in compensatory damages and \$140,000 in punitive damages against the three officers. 2019 WL 6253813 (S.D.N.Y. Nov. 22, 2019), at \*1. The plaintiff rejected the remittitur and retried the case in 2019; the second jury awarded \$90,000 in compensatory damages and a total of \$355,000 in punitive damages against the three officers; the district court denied the defendants’ second motion for remittitur. *Id.* at \*1. The Second Circuit affirmed. *Jennings v. Yurkiw*, 18 F.4<sup>th</sup> 383 (2d Cir. 2021). The defendant officers were represented by

the city, and the city agreed to indemnify all officers. Defendant New York City Police Officer Juan Santiago's Memorandum of Law in Support of His Motion for an Evidentiary Hearing on the Issue of Indemnification and in Opposition to the City of New York's Determination Not to Approve Indemnification, *Ekukpe v. City of New York*, 16-cv-5412, Document 122 (filed Aug. 28, 2018). The city paid \$1.1 million to resolve the case, including attorneys' fees. Stipulation and Order of Dismissal, *Jennings v. Yurkiw*, 14-cv-6377 (Jan. 2022).

In 2021, in *Johnson v. City of New York*, 15-cv-6915, the jury awarded \$100,000 in compensatory damages and a total of \$80,000 in punitive damages against two officers; officers' motion to reduce the punitive damages award was denied. *Johnson v. City of New York*, 593 F. Supp. 3d 58 (S.D.N.Y. 2022). The city represented the named officers. *Id.* The city paid to resolve this case with no contribution by the officers. See Email from Scott A. Korenbaum to author (June 4, 2026 1:35 PM).

In 2018, in *Jones v. Treubig*, 16-cv-8080, an excessive force case, the jury awarded nominal compensatory damages and \$30,000 in punitive damages against one officer; the district court granted defendant's 50(b) motion on qualified immunity grounds but the Second Circuit reversed. 963 F.3d 214 (2d Cir. 2020). The officer was represented by the city.

In 2022, in *Lindsey v. Butler*, 11-cv-9102, 647 F. Supp. 3d 128 (S.D.N.Y. Dec. 22, 2022), a case alleging two officers forcibly dry-shaved the plaintiff's face at a police station the plaintiff alleged two officers used excessive force against him, and the jury awarded him \$1 in compensatory damages and punitive damages in the amounts of \$50,000 against one officer and \$17,500 against another officer. *Id.* at 136. The court vacated the \$17,500 punitive damages award, but denied defendants' motion to vacate or reduce the \$50,000 punitive damages award. *Id.* at \*145. The named officers were represented by the city. The city paid to resolve the case with no indication of any officer contribution. Email from Steven M. Shepard to author (June 4, 2026 11:13 AM).

In 2022, in *Martinez v. City of New York*, 16-cv-0079, a jury awarded the plaintiff \$200,000 in compensatory damages for her assault and battery claim against the City of New York, and \$100,000 in punitive damages against four separate defendants (totaling \$400,000) for deliberate indifference. 2023 WL 4627739 (S.D.N.Y. July 19, 2023). The court refused to reduce the punitive damages award, finding the four officers "deliberately forced Plaintiff to endure a multi-hour delay after sustaining extremely painful physical injuries in their custody before she was provided with access to any medical care" and "presented ample evidence supporting her claim that the defendant officers were motivated by deceit and malicious intent." *Id.* at \*15. The city represented the named officers. The city paid the entirety of the award. See Email from Scott A. Korenbaum to author (June 4, 2026 11:29 AM).

In 2018, in *Noonan v. Becker*, 14-cv-4084, a case alleging Becker sexually harassed and assaulted the plaintiff during her arrest, then drugged, raped, and assaulted her, the court entered a default judgment against the officer (who did not appear) and awarded the plaintiff \$1,013,000 in compensatory damages and \$1,000,000 in punitive damages. Order Adopting Report and Recommendation, *Noonan v. City of New York*, 14-cv-4084, Document 84 (filed May 3, 2018). Becker was charged with official misconduct—only relating to improper videotaping of the plaintiff during her arrest—but those charges were dismissed. Ed Krayewski, NYPD Co Accused of Rape, Assault, False Arrest—Might Be Gone Already If He Were a College Student, Reason (June 10, 2014). On July 20, 2017, Becker was sentenced

to two years in prison for submitting a false insurance claim in 2012. Press Release, Former NYPD Officer Sentenced To Two Years In Prison for Insurance Fraud Scheme (July 20, 2017), <https://www.justice.gov/usao-edny/pr/former-nypd-officer-sentenced-two-years-prison-insurance-fraud-scheme>. There is no indication of any efforts to collect the judgment in the docket. An email to plaintiff's counsel went unanswered.

In 2019, in *Poulos v. City of New York*, 14-cv-3023, 2018 WL 3750508 (S.D.N.Y. July 13, 2018), a case alleging that the plaintiff was assaulted at Central Booking by former NYPD Officer Jamel Brown and another detainee, Officer Brown and the detainee did not appear, and the court awarded default judgments against both: \$100,000 in compensatory damages and \$75,000 in punitive damages against the officer, \$197,142.75 in attorneys' fees and costs, and \$325,003 in compensatory damages against the detainee. See Abstract of Judgment, *Poulos v. City of New York*, 14-cv-3023 (S.D.N.Y. filed Apr. 10, 2019). As of June 2026, the plaintiff has been unable to collect any of the award.

In 2022, in *Rizk v. Mehirdel*, 14-cv-6434, a case brought by two plaintiffs alleging excessive force and other claims, the jury awarded one plaintiff \$13,000 in compensatory and \$11,000 in punitive damages, and another plaintiff \$2,120 in compensatory damages and \$11,000 in punitive damages. 2022 WL 5184709, at \*2. The court denied defendants' requests to reduce or vacate the awards. *Id.* at \*8. The named officers were represented by the city. The City of New York paid the plaintiffs \$260,000 to settle the case, with no contribution by the officers. Stipulation of Settlement, *Rizk v. Mehirdel*, 14-cv-6434, Document 1263 (filed Nov. 23, 2022).

In 2019, in *Theodat v. City of New York*, 16-cv-3977, a case alleging false arrest, battery, and failure to intervene, a jury awarded \$100,000 in compensatory damages and \$200,000 in punitive damages against one officer for false arrest; \$1,000 in compensatory and \$7,500 in punitive damages against that same officer for battery; and \$150,000 in punitive damages against a second officer for failure to intervene. 2019 WL 4385794 (E.D.N.Y. Sept. 13, 2019). The district court granted remittitur regarding punitive damages, ordering a new trial unless the plaintiff accepted a remittitur of one officer's punitive damages from \$207,500 to \$15,00, and remittitur of the other officer's punitive damages from \$150,000 to \$5,000. *Id.* at \*9. The named officers were represented by the city. On October 13, 2020, the city paid a \$121,000 judgment to the plaintiff, and agreed to pay \$397,592.31 in attorneys' fees. See Stipulation and Order of Settlement of Attorney's Fees, Expenses, Costs, and Interest, *Theodat v. City of New York*, 16-cv-3977, Document 114 (filed Feb. 11, 2021).

For the years 2006-2011, New York City reported that it did not collect information about indemnification decisions, but gave me a list of state court cases in which officers did not pay the entirety of the settlement; from that list, and a related search of federal cases in which officers had private counsel, I found 35 instances in which officer contributed to settlements during that study period. Police Indemnification at 982.

**North Carolina State Highway Patrol (NC) (1,800 sworn officers).** For the amount paid to plaintiffs in cases against North Carolina state highway patrol officers, see Email from Claire Rice, Communications Specialist II, North Carolina Department of Public Safety, to author (June 19, 2024 8:07) (attaching chart). The report produced by the North Carolina Department of Public Safety identified two cases totaling \$2,700,000. A news report makes clear that both were civil rights suits. Virginia

Bridges, Inside NC Highway Patrol Incidents Linked to Deaths, Injuries, Quiet Payouts, The News & Observer (Dec. 22, 2025).

No North Carolina State Highway Patrol officer contributed to a settlement or judgment in the years 2018-2023. See Email from Claire Rice, Communications Specialist II, N.C. Department of Public Safety, to author (June 19, 2024) (“There have been no documented instances of the state refusing to indemnify a trooper in the stated time frame. According to the Defense of State Employees Act, the state will pay the judgment of those employees whom it defendants up to the maximum allowed by law.”).

A Westlaw search of “‘North Carolina’ /s highway & punitive!” in North Carolina state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 990 (reporting that representative of the Patrol represented that no officer was denied indemnification during the study period).

**Ohio State Highway Patrol (OH) (1,740 sworn officers).** Ohio State objected to my request for information about lawsuit payments in the years 2018-2023, contending that the request was overbroad and that any responsive records would be exempt from release. Email from Ohio Department of Public Safety to author (June 20, 2024 7:41 AM).

No Ohio State Highway Patrol officer contributed to a settlement or judgment in the years 2018-2023. See Email from Ohio Department of Public Safety to author (June 20, 2024) (reporting that the Ohio State Highway Patrol did not decline to indemnify an officer for compensatory or punitive damages during the time period).

A Westlaw search of “‘Ohio State’ /s highway & punitive!” in Ohio state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions in the years 2006-2011, see Police Indemnification at 999 (reporting that Ohio State Highway Patrol provided a spreadsheet of settlements but did not provide information about whether an employee of the Ohio State Highway Patrol had been denied indemnification).

**Oklahoma City Police Department (OK) (1,107 sworn officers).** For payments to plaintiffs in cases involving Oklahoma City police officers from 2018-2023, see Email from Sherri R. Katz, Litigation Division Head, City of Oklahoma City Municipal Counselor’s Office (May 18, 2026 12:08 PM) (with table of cases). Note that the table of cases is labeled as though from 2014-2024, but further review of the entries makes clear that the cases were settled in the study period from 2018-2023.

No Oklahoma City officer contributed to a settlement or judgment in the years 2018-2023. See id.

A Westlaw search of “‘Oklahoma City’ /s police & punitive!” in Oklahoma state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 995 (reporting that a representative from the city attorney’s office represented that there had been no police officer denied indemnification during the study period, although the city’s forensic chemist was denied indemnification during the study period in a wrongful conviction case).

**Orange County Sheriff’s Department (CA) (1,868 sworn officers).** For payouts by the county to plaintiffs in lawsuits involving Orange County sheriff’s department employees, excluding auto liability cases, see Email from Laurie A. Shade, Senior Deputy County Counsel to author (June 25, 2024 10:09 AM) (attaching spreadsheet). Shade made clear that the county did not have responsive documents “regarding Sheriff employees for whom we did not provide a defense during this time period.” Id.

No Orange County Sheriff’s department officer contributed to any settlement or judgment on the spreadsheet. See Email from Laurie Shade, Senior Deputy County Counsel, to author (June 25, 2024 12:09 PM) (confirming that there were no denials of indemnification during that study period for officers the county represented and noting that, “[a]lthough it does happen, it is pretty rare so not surprising there were none within that timeframe.”).

A Westlaw search of “Orange /s police & punitive!” in California state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 990 (reporting that Orange County did not deny any officer indemnification during the study period).

**Phoenix Police Department (AZ) (2850 sworn officers).** For payouts to plaintiffs in cases involving Phoenix police department employees from 2018-2023, see email from City of Phoenix to author (July 9, 2026, 1:37 PM) (attaching spreadsheet). The spreadsheet included all types of cases; I counted as “civil rights cases” those designated as “shooting,” “excessive force,” “false arrest,” “failure/negligent investigation,” “forced entry,” “dog bite,” “violate civil rights,” and “care, custody, control.” The City of Phoenix reported “no responsive documents” for my requests for cases in which officers were denied indemnification or contributed to settlements and/or judgments against them. See id. When I wrote for clarification of this response, I did not receive a reply.

A Westlaw search of “Phoenix /s police & punitive!” in Arizona state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For the years 2006-2011, Phoenix reported no contributions by officers to settlements or judgments. See Letter from Dane Traines, Risk Management Coordinator, to author (July 6, 2012).

**Riverside County Sheriff’s Office (CA) (1,762 sworn officers).** For payouts to plaintiffs in cases involving Riverside County sheriff’s office employees from 2018-2023, see Email from Corr. Sergeant Ramo Griffin, CPPRA Unit, Riverside County Sheriff’s Office, to author (June 24, 2024) (attaching spreadsheet of lawsuits organized into three categories: auto, general, and medical malpractice). I have categorized “general” and “medical malpractice” as civil rights claims.

No Riverside County Sheriff's officer contributed to a settlement or judgment in the years 2018-2023. See Email from Corr. Sergeant Ramo Griffin, CPRA Unit, Riverside County Sheriff's Office, to author (Oct. 4, 2024) reporting that "there are no records responsive to your request" for documents reflecting every lawsuit in which an officer was denied indemnification) and Email from Corr. Sergeant Ramo Griffin, CPRA Unit, Riverside County Sheriff's Office, to author (Oct. 11, 2024) (reporting, in response to a request that the office "confirm whether...no officers were denied representation" or "do you not keep such records?" that the Riverside County Sheriff's office did "not have any records of any employees who were denied indemnification.").

A Westlaw search of "Riverside /s police & punitive!" in California state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions in the years 2006-2011, see Police Indemnification at 988 (reporting that Riverside County's risk management personnel knew of no case in which the county refused indemnification).

**San Antonio Police Department (TX) (2,231 sworn officers).** For data about the amount paid to plaintiffs in cases involving the San Antonio police department and its officers in the years 2018-2023, see Email from Moraima McGraw to author (Aug. 23, 2024) (attaching records of the city's bargaining agreement, "judgments and dismissals," "releases," and "ordinances" and reporting that "these are the only records we located"). I reviewed the dockets of each case with payments to plaintiffs and determined all but one of the reported cases were civil rights cases.

No San Antonio officer contributed to a settlement or judgment in the years 2018-2023. See Email from Deborah Lynne Klein, Deputy City Attorney, to author (June 16, 2026 7:37 AM).

A Westlaw search of "'San Antonio' /s police & punitive!" in Texas state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions during the years 2006-2011 see Police Indemnification at 988 (reporting that city represented that payouts were fulfilled entirely by the city).

**San Bernardino County Sheriff's Department (CA) (1,973 sworn officers).** For the amount paid to plaintiffs in lawsuits involving San Bernardino county sheriff's department employees in the years 2018-2023, see Email from Laura Finegold, Chief Assistant County Counsel, San Bernardino County Public Records to author (July 14, 2024 5:20 PM) (attaching spreadsheet). The spreadsheet did not differentiate by case type; by reviewing each available docket on Bloomberg law (and searching for news coverage of cases), I was able to identify a (likely underinclusive) set of civil rights cases. San Bernardino denied my request for a spreadsheet of only civil rights cases. See Email from San Bernardino County Public Records to author (Aug. 14, 2026, 8:58 AM).

For indemnification decisions in the years 2018-2023, see *id.* (appending spreadsheet reflecting two officers who were denied indemnification). Finegold clarified that the county denied these two officers a defense, and they did not actually request indemnification. See Email from Laura Finegold, Chief Assistant County Counsel, San Bernardino County Public Records, to author (Sept. 25, 2024 8:17 AM).

The officers were alleged to have orchestrated a fight between inmates; both officers were criminally prosecuted. Alejandra Reyes-Velarde, Two San Bernardino County Deputies Face Felony Charges Over Jailhouse Fight, L.A. Times (May 23, 2019). San Bernardino paid \$10,000 to settle the case and the claims against the county and the individual officers were dismissed by joint stipulation with no indication of payment by the officers. Joint Stipulation to Dismiss Action With Prejudice, *Martinez v. County of San Bernardino*, No. 5:19-cv-2057 (C.D. Cal. Oct. 25, 2019) (filed Dec. 16, 2020).

A Westlaw search of “‘San Bernardino’ /s police & punitive!” in California state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For the years 2006-2011, San Bernardino was aware of no cases in which officers were denied indemnification. See Police Indemnification at 990.

**San Diego Police Department (CA) (1,836 sworn officers).** In response to my request for records reflecting any police lawsuit payouts and indemnification denials in cases involving San Diego police officers in the years 2018-2023, the San Diego City Attorney’s office produced more than two thousand pages of lawsuit complaints and settlements in five installments. The office also produced claims reports. The total amount paid by San Diego was calculated by reviewing and compiling a list of cases and payouts from these records. Review of these thousands of documents revealed one case, *Hychko v. City of San Diego*, Sup. Ct. Ca. 37-2016-5845, in which the settlement agreement provided that one officer contributed \$1,000.

A Westlaw search of “‘San Diego’ /s police & punitive!” in California state and federal courts between January 1, 2017 and December 31, 2023 revealed one case in which punitive damages were awarded.

In 2020, in *Estate of Brown v. Lambert*, a case brought by the widow of a crime lab employee who committed suicide after he became the target of a cold case investigation, the jury awarded \$6 million in compensatory damages and \$50,000 in punitive damages against the detective who pursued the investigation. *Estate of Brown v. Lambert*, 478 F. Supp. 3d 1006 (S.D. Cal. 2000). The district court denied the defendants’ motion to reverse or reduce the punitive damages award because of the detective’s “assets and liabilities.” *Id.* at 1025. The case settled post-trial with San Diego paying \$5.812 million to resolve all claims; the detective paid nothing. Settlement Agreement and Mutual Release, *Estate of Brown v. Lambert* (provided in the public records response, above).

For information about indemnification denials in 2006-2011, see Police Indemnification at 998 (reporting that a deputy city attorney wrote that they did not have responsive information: “To uncover the information you seek would require the City to search through each and every individual lawsuit filed against it during the five years requested, undergo considerable historical case analysis in order to extract information, and then compile statistical data.”).

**San Francisco Police Department (CA) (2,288 sworn officers).** For payments to plaintiffs in cases involving San Francisco police department employees in the years 2018-2023, see Email from Elizabeth A. Coolbrith, Paralegal, Office of City Attorney David Chiu to author (June 24, 2024 6:15PM) (attaching

spreadsheet). I reviewed each case on Bloomberg law to determine which should be categorized as civil rights cases in the payments appendix.

No San Francisco police officer contributed to a settlement or judgment in the years 2018-2023. See Email from Elizabeth A. Coolbrith, Paralegal, Office of City Attorney David Chiu, to author (June 24, 2024) (reporting no indemnification denials).

A Westlaw search of “‘San Francisco’ /s police & punitive!” in California state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification denials in the years 2006-2011, see Police Indemnification at 989 (reporting that the city attorney’s office represented that they could find no case in which officers were denied indemnification).

**San Jose Police Department (CA) (973 sworn officers).** For information about payments to plaintiffs in cases involving San Jose police department employees in the years 2018-2023, see Email from City of San Jose CA Public Records Center to author (Oct. 30, 2024 11:37 AM) (attaching spreadsheet). The spreadsheet included case names and numbers; I was able to identify the case types through review of the complaints on Bloomberg Law.

No San Jose police officer contributed to a settlement or judgment in the years 2018-2023. See Email from Tina Nasser, Senior Legal Analyst, City Attorney’s Office to author (June 25, 2024) (“City Attorney’s Office does not deny requests for indemnity due to a state statute per GOV § 825.”).

A Westlaw search of “‘San Jose’ /s police & punitive!” in California state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions in the years 2006-2011, see Police Indemnification at 994 (reporting that the city attorney’s office represented that there were no cases in which officers were denied indemnification).

**Seattle Police Department (WA) (1,364 sworn officers).** In response to my request for information about payments to plaintiffs in lawsuits involving Seattle police department employees in the years 2018-2023, Seattle provided me with a spreadsheet of lawsuits and settlements/judgments without any indication of officer contributions, explaining that “the Seattle City Attorney’s Office can provide you an Excel spreadsheet containing...the matter number, case title/description, and settlement, judgment, or injury damage amounts” but “[o]ur data cannot be queried to make distinctions for compensatory/punitive damages or indemnification amounts.” Letter from Thomas Corley, Public Disclosure Officer, Seattle City Attorney’s Office (June 10, 2024) (attaching spreadsheet). The spreadsheet categorizes cases by acronym, and the city attorney’s office reported that non-employment cases “that challenge officer actions when performing their duties” would be categorized as POLAC (police action) cases. Email from Dan Nolte, Seattle City Attorney’s office, to author (June 2, 2026, 5:39 PM). He clarified, though, that this designation is likely underinclusive because there were some Section 1983 cases categorized in other ways, and that Seattle’s database does not track by case type so “there

wouldn't be a way to further decipher [case type] unless you actually read/pulled the complaints for everything." Email from Dan Nolte, Seattle City Attorney's Office, to author (June 8, 2026, 8:08 AM). Accordingly, all "POLAC" cases have been designated as civil rights cases, although this designation is likely underinclusive.

No Seattle officer was denied indemnification or contributed to a settlement or judgment for conduct in the course and scope of their employment; the Seattle City Attorney chief of staff reported that the office "can recall one case where an officer was obligated to pay for his own settlement, but that is due to his behavior being outside the normal course and scope of his employment so therefore the City did not bear responsibility. I don't know how to search for that particular case considering when I asked around it was anecdotal, so I can't confirm it's within the timeframe you specify. Otherwise, there are none that we are aware of." Email from Dan Nolte to author (May 14, 2026 1:27 PM).

A Westlaw search of "Seattle /s police & punitive!" in Washington state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions in the years 2006-2011, see Police Indemnification at 995 (reporting that the City Attorney's office represented that "[t]here [were] no cases when the City of Seattle has declined to indemnify a defendant employee of the Seattle Police Department for compensatory damages or punitive damages.").

**Tampa Police Department (FL) (956 sworn officers).** For the amount paid to plaintiffs in lawsuits involving Tampa police department employees from 2018-2023, see Email from City of Tampa to author (June 1, 2026 1:02 PM) (attaching spreadsheet).

No Tampa officer was denied indemnification or contributed to a settlement or judgment against them in the years 2018-2023. See Email from City of Tampa to author (June 1, 2026 11:43 AM).

A Westlaw search of "Tampa /s police & punitive!" in Florida state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For indemnification decisions in the years 2006-2011, see Police Indemnification at 996 (reporting that an assistant city attorney represented in that she had worked in the office from 2004-2012 and that they had only refused indemnification once, when an officer fell asleep while driving home from work and hit another car).

**Texas Department of Public Safety (TX) (4,297 sworn officers).** For information about payments to plaintiffs in cases involving Texas Department of Public Safety employees in the years 2018-2023, see Email from Texas DPS Records (June 5, 2024 8:05 AM) (attaching spreadsheet). The spreadsheet did not differentiate by case type; by reviewing each available docket on Bloomberg law (and searching for news coverage of cases), I was able to identify a (likely underinclusive) set of civil rights cases.

No Texas Department of Public Safety officer contributed to a settlement or judgment in the years 2018-2023. See Email from Public Records to author (May 29, 2024) (responding to request for documents

showing indemnification denials with the statement: “None. We are required by law to indemnify employees.”).

A Westlaw search of “Texas /s “public safety” & punitive!” in Texas state and federal courts between January 1, 2017 and December 31, 2023 revealed no cases in which punitive damages were awarded.

For the years 2006-2011, the Texas Department of Public Safety confirmed that no settlements or judgments were paid by its officers. Police Indemnification at 985.

# APPENDIX H: SOURCE TABLE FOR LARGER JURISDICTIONS THAT DID NOT PROVIDE RESPONSIVE INFORMATION

This appendix sets out the data sources for information about the XX largest jurisdictions that did not provide responsive information about payouts and indemnification decisions/officer contributions for 2018-2023, and for which I could not find other data sources. The jurisdictions are listed alphabetically. I have also included these jurisdictions' responses to the prior request for data, for ease of reference. Data about full-time sworn officers is taken from the 2018 BJS Law Enforcement Census.

**Baltimore Police Department (MD) (2,530 sworn officers).** For indemnification decisions/officer contributions in the years 2018-2023 see Email from Nichola Gills, Investigative Specialist, Office of Police Commissioner/Legal Affairs to author (Mar. 20, 2025) ("After a diligent search no responsive records were located. Nothing in this response is intended to indicate that any records sought from BPD exist or to waive any privileges held by BPD."). When I requested this information of the Baltimore City Law Department, I was informed that the information was protected by attorney work product protections. See Email from Hilary Ruley, Chief Solicitor, General Counsel Division, Baltimore City Department of Law, to author (June 13, 2024). Ruley suggested that I review settlement approvals by the Baltimore Board of Estimates. Id. The comptroller's office, which oversees the Board of Estimates, reported that they do not have a report with payout information, and echoed the suggestion that I review individual Board of Estimates decisions. Email from Geoff Shannon to author (Apr. 28, 2026). Note that the Baltimore Comptroller's Office has reported that, "since 2021, 41 Gun Trace Task Force settlements and claims have been approved by the Baltimore City Board of Estimates. \$22,935,073 has been paid out to victims. The City has recouped 0 from the officers." <https://gttfbaltimore.herokuapp.com/>. For indemnification decisions/officer contributions in the years 2006-2011, see Telephone Interview with Christopher R. Lundy, Assoc. Legal Counsel, Balt. Police Dep't Legal Affairs Div., to author (Aug. 31, 2012) (reporting that all payments reported during the study period were paid by the city and that "we rarely do not indemnify").

**Boston Police Department (MA) (2,119 sworn officers).** Boston did not directly respond to my request for information about indemnification decisions/officer contributions in the years 2018-2023, but produced cases resolved between 2018-2023 that included no indication of officer payment or contribution. See Email from City of Boston to author (April 8, 2026). I followed up, requesting information about any instances in which officers were denied indemnification, and for their indemnification policy. See Email from author to City of Boston (Apr. 8, 2026). Boston responded: "[T]here is no central record depicting cases in which officers were denied indemnification....Indemnification is decided on a case by case basis. There is no single documenting [sic] reflecting indemnification policy." Email from Ruby Theriot, Public Records Co-Op, to author Apr. 16, 2026. Multiple additional emails to Boston police department and legal department personnel went unanswered.

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 987 (reporting that the legal advisor for the Boston Police Department reported there was no case from 2006 to 2011 in which an officer was not indemnified).

**Cincinnati Police Department (OH) (1,036 sworn officers).** For the amount paid in settlements and judgments in cases involving Cincinnati police officers from 2018-2023, see Email from Ian M. Doig, Assistant City Solicitor, City of Cincinnati, to author (July 17, 2024) (attaching records of cases settlements and judgments over \$5,000, reported monthly by the city solicitor to the city manager). Some of the case listings included descriptions—“civil rights” or “personal injury,” for example—and some had case numbers listed, which I used to designate civil rights cases. Cincinnati does not collect information about indemnification denials or payments by officers. See *id.* (reporting that the City “do[es] not track when an officer was individually named as a defendant in a lawsuit, whether the City indemnified that officer (or not), or the nature of those damages.”). For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 1000 (reporting that the chief counsel for the city solicitor’s office stated there was not a “single document or series of documents” regarding indemnification decisions by the city).

**Dallas Police Department (TX) (3,016 sworn officers).** For indemnification decisions/officer contributions in the years 2018-2023 see Email from Dallas Police Department—Open Records to author (Sept. 19, 2024) (producing personnel and corrective action rules, and reporting that it released “all it could” about indemnification decisions and processes). When I followed up, requesting records reflecting the settlement agreements in all cases entered into between 2018-2023 in which Dallas police officers were named as a defendant, I received a chart that reflected \$5,087,173 in payments, but without case names or docket numbers, or the terms of the settlement agreements, making it impossible to discern whether officers had been required to contribute. See Email from Open Records Coordinator, City Secretary’s Office, to author (June 3, 2026 5:49 PM) (attaching chart).

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 985 (Chief of the General Counsel Division, Office of the City Attorney reported that “the city fully satisfied settlements and judgments on behalf of its officers during the study period, but did not collect information about the amount paid in settlements and judgments.”).

**DeKalb County Police Department (GA) (3,016 sworn officers).** DeKalb County did not respond to my request for information about indemnification decisions/officer contributions in the years 2018-2023. See Email from Carol Borden, Investigative Aide, Police Department, to author (June 3, 2024) (reporting that “the DeKalb County Police Department is not the custodian of records responsive to this Open Records Request. It is possible that the—Law Department for Dekalb County—may be the custodian of record for the records requested. You may submit a new Open Records Request to this department.”). I then submitted an open records request to the law department and multiple other county agencies, and received a response that I should submit these requests to the sheriff’s department. I then submitted a request to the Sheriff’s Department, and they responded that they did not have documents responsive to my request. Email from Dekalb County Sheriff’s Office Open Records Section to author (Apr. 8, 2026). I then wrote to the police department again, attaching the sheriff’s response, and the police department representative wrote that she was “at a loss as to how you should proceed next...[I]f the Law Department sent you to the Sheriff’s Office, they are the only ones, I know, with enough knowledge of your request that might be able to help you.” Email from Carol R. Borden, Investigative Aide, Dekalb County Government, to author (Apr. 10, 2026). For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 1000 (Office of Chief of Police responded: “the DeKalb County

Police Department does not have any documents that are responsive to your request” and “we believe that the County has no documents that are responsive to your request.”)

**Detroit Police Department (MI) (2,420 sworn officers).** Detroit did not respond to my request for information about indemnification decisions/officer contributions in the years 2018-2023. For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 998 (city representatives responded that “[n]either the Law Department nor the Police Department keeps track of which Detroit police officers are indemnified,” although a supervising attorney in the city attorney’s office estimated “that officers are represented and indemnified 99.98% of the time.”).

**Florida Highway Patrol (FL) (1,817 sworn officers).** Florida Highway Patrol did not respond to my request for information about indemnification decisions/officer contributions in the years 2018-2023. For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 992 (quoting the administrative assistant at the Florida Department of Financial Services as stating “[w]e are not aware of any situation in these cases where we declined to indemnify a DHSMV employee” and quoting the senior assistant general counsel of the Florida Department of Highway Safety and Motor Vehicles as stating “I have been an attorney here for over 33 years and I am not aware of a single instance in which the State, through DFS/Risk Management has declined coverage of a trooper.”).

**Harris County Sheriff’s Department (TX) (2,157 sworn officers).** Harris County did not produce information responsive to my request for information about indemnification decisions/officer contributions in the years 2018-2023. For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 998 (reporting that a representative from the Harris County Sheriff’s Legal Department stated that the department does not keep this information but “asked the attorneys in a ‘short poll around the office and found no instance in which an officer was not indemnified.”).

**Honolulu Police Department (HI) (1,943 sworn officers).** For indemnification decisions/officer contributions in the years 2018-2023, Honolulu estimated that it would cost \$670 to produce relevant records. See Email from Department of the Corporation Counsel to author (July 23, 2024). When I resubmitted the same request two years later, I was told that information about lawsuit payments would cost \$270 to produce, that the department had no information about indemnification denials, and that the Honolulu Police Commission would have information about indemnification denials. See Email from Department of Corporation Counsel to author (June 16, 2026). The Honolulu Police Commission did not respond to my requests for information. For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 989 (reporting that Honolulu officials represented that the city indemnified every officer it represented, and only denied representation to officers who were sued for conduct outside the course and scope of their employment).

**Houston Police Department (TX) (5,199 sworn officers).** Houston did not produce information responsive to my request for information about indemnification decisions/officer contributions in the years 2018-2023, contending that the information was protected by attorney-client privilege. See Letter from Nerissa Jewett, Senior Paralegal, to author (Oct. 31, 2024). For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 997 (reporting that a representative

of the Houston Legal Department represented that “[n]o responsive information [about indemnification] exists...because the City does not maintain that type of data.”).

**Indianapolis Metropolitan Police (IN) (1,676 sworn officers).** Indianapolis did not respond to my request for information about indemnification decisions/officer contributions in the years 2018-2023. Indianapolis did not respond to my request for information about indemnification decisions/officer contributions in the years 2006-2011. Police Indemnification at 999.

**Las Vegas Metropolitan Police Department (NV) (2,945 sworn officers).** For information about the amount paid in settlements and judgments in cases against Las Vegas and its police officers, see Email from Las Vegas Metropolitan Police Department to author (June 13, 2024) (attaching documents). For indemnification decisions/officer contributions in the years 2018-2023, see Email from Las Vegas Metropolitan Police Department to author (June 13, 2024) (reporting “no record[s] responsive” to the requests about indemnification). When I followed up to get clarification about whether their response meant there were no indemnification denials, I was informed that “The Las Vegas Metropolitan Police Department (LMVPD) does not maintain any particular record containing the information you are seeking” and “LVMP databases cannot ‘readily compile the requested information.’” Message from LVMPD Public Records Request Portal to author (July 30, 2026, 2:31 PM). For indemnification decisions/officer contributions in the years 2006-2011, see Letter from Charlotte M. Bible, Assistant General Counsel, to author (Sept. 13, 2012) (reporting that “LVMPD has not declined to indemnify a defendant employee for compensatory damages” and “[t]here has not been a case where punitive damages have been awarded.”)

**Los Angeles Police Department (CA) (10,000 sworn officers).** For information about the amount paid to plaintiffs in cases against the Los Angeles police department and its officers in the years 2018-2023, see

Los Angeles reported that it did not collect information about indemnification decisions and/or officer contributions in the years 2018-2023. See email from Frank Mateljian, Office of the City Attorney, CPRA Unit – General Counsel Division, to author (Sept. 20, 2024) (“[W]e do not have records in our possession responsive to your request that would accurately reflect the information you are requesting” regarding indemnification decisions).

A Westlaw search of “‘Los Angeles /s police & punitive!’” in California state and federal courts between January 1, 2017 and December 31, 2023 revealed two cases in which punitive damages were awarded; the city attorney’s office confirmed that officers paid nothing to resolve either case. See email from Frank Mateljian to author (May 18, 2026, 10:16 AM).

For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 983-94 (reporting that a deputy city attorney represented that the city did not indemnify one punitive damages verdict, for \$300, but the officer never paid this award).

**Massachusetts State Police (MA) (2,138 sworn officers).** For the years 2018-2023, the Massachusetts State Police did not directly answer whether an officer had been denied indemnification, but provided me with 90 letters in which the department agreed to indemnify its officers (and no letter in which the

department declined to indemnify an officer). See Email from Alyssa Gough, Research Analyst, Office of the Chief Legal Counsel, to author (Oct. 18, 2024). For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 987 (reporting that one officer was denied indemnification but no officer contributed to a settlement or judgment during the study period).

**Metropolitan Police Department (DC) (3,851 sworn officers).** For information about the amount paid in settlements and judgments in cases involving Metropolitan police officers, see Email from Charma Rhoden, FOIA Specialist, to author (May 7, 2026, 8:53 AM) (attaching records). In response to request for information about whether officers were denied indemnification or contributed to settlements in any of the cases reflected in the records produced by the city, an officer responded that “after a diligent search...we were unable to identify any records that would provide further information.” Email from Erika Sillabower, FOIA Officer, Office of the Attorney General for the District of Columbia, to author (July 14, 2026, 2:35 PM). For indemnification decisions in the years 2006-2011, see Police Indemnification at 998 (providing a report of litigation closed during the study period that reflected no officer contributions, but reporting that the Office of the Attorney General for D.C. represented that “OAG does not retain documents [about indemnification practices] in a way that would provide the information”).

**Miami-Dade Police Department (FL) (2,850 sworn officers).** For information about indemnification denials in the years 2018-2023, see Email from Leigh C. Kobrinski, Assistant County Attorney, to author (June 3, 2024) (reporting that the county attorney’s office “does not have or maintain records in the format you have requested or have a readily available way of searching for responsive records. Any such search would require a case-by-case review of any and all cases that our office has handled within the five-year time period to determine if it is responsive to the request.”). When I followed up, seeking clarification, I was informed that their office “does not have that information you are requesting in any sort of report or statistic sheet. We have the case files, which may or may not be responsive, for federal and tort and labor cases. But it isn’t organized in a manner that you can easily determine if the case was paid out or that our office declined to represent an employee or that the County declined to indemnify an employee, etc. So someone would have to go through each of the cases handled by our office during that time period and determine if it is responsive—if it relates to MDPD, what the result was (settlement, trial, etc.), etc. and provide the records from the case file. It would be very labor intensive and a special service charge for the request would be imposed.”. Email from Leigh Kobrinski, Assistant County Attorney, to author (June 4, 2024, 2:55 PM). Miami-Dade did not respond to my request for information about indemnification decisions/officer contributions in the years 2006-2011. Police Indemnification at 998.

**Miami Police Department (FL) (1,266 sworn officers).** For the years 2018-2023, the Miami Police did not directly answer whether an officer had been denied indemnification, but provided me with a spreadsheet of lawsuits and settlements/judgments without any indication of officer contributions. See Email from Miami public records to author (Jan. 22, 2025). For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 995 (reporting that attorneys representing Miami officers in civil rights cases did not recall any case in which officers were denied indemnification or financially contributed to settlements during the study period).

**Milwaukee Police Department (WI) (1,851 sworn officers).** For the years 2018-2023, Milwaukee did not respond to my request. For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 988-89 (reporting that the city attorney's office represented that there were three cases in which officers had been denied indemnification but that those cases were ongoing).

**Nassau County Police Department (NY) (2,423 sworn officers).** Nassau County did not respond to my request for information about indemnification decisions/officer contributions in the years 2018-2023. Nassau County did not respond to my request for information about indemnification decisions/officer contributions in the years 2006-2011. Police Indemnification at 998.

**New Orleans Police Department (LA) (1,204 sworn officers).** For the amount paid in lawsuits against New Orleans and its officers in the years 2018-2023, see Email from the City of New Orleans Public Records to author (May 31, 2024 10:20 AM) (attaching spreadsheets with federal and state cases). Calculating the total cost of payments during the period 2018-2023 is somewhat more complicated than for other jurisdictions, because New Orleans pays out settlements over several years; accordingly, I calculated the amount paid by the city for each of the years in the study, including for cases that were resolved before 2018). The New Orleans Police Department did not answer whether an officer had been denied indemnification. For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 999 (reporting that an assistant city represented that neither the police department nor the city attorney's office has responsive records).

**New York State Police (NY) (4,898 sworn officers).** New York State Police did not respond to my request for information about indemnification decisions/officer contributions in the years 2018-2023. For indemnification decisions/officer contributions in the years 2006-2011, see Police Indemnification at 985 (reporting that the New York State police provided a spreadsheet of payouts with no indication that its officers contributed to any settlement or judgment).

**Newark Police Department (NJ) (1,077 sworn officers).** Newark Police Department did not respond to my request for information about indemnification decisions/officer contributions in the years 2018-2023. Newark Police Department did not respond to my request for information about indemnification decisions/officer contributions in the years 2006-2011. Police Indemnification at 1000.

**Virginia State Police (VA) (1,958 sworn officers).** For indemnification decisions/officer contributions in the years 2018-2023, Virginia State Police estimated that it would cost \$465 to produce relevant records, and I did not proceed. See Email from Patrick Jaicomo to author (July 8, 2024). Virginia State Police did not respond to my request for indemnification decisions for the years 2006-2011. See Police Indemnification at 998.

**Pennsylvania State Police (PA) (4,192 sworn officers).** For the years 2018-2023, the Pennsylvania State Police did not directly answer whether an officer had been denied indemnification, but provided me with a spreadsheet of lawsuits and settlements/judgments it represented was responsive to my request that included no indication of officer contributions. See Letter from Brittany Sultzaberger, Deputy Agency Open Records Officer, Pennsylvania State Police, to author (July 8, 2024). For the years 2006-2011, Pennsylvania State Police produced records reflecting payouts in lawsuits (with no indication that

officers had contributed to payments in any case) but denied my request for information about indemnification decisions/officer contributions on the ground that “it does not maintain records responsive to these requests” and “would have to examine each resolved case and compile, format and organize the information to create a record.” Police Indemnification at 997.

**Philadelphia Police Department (PA) (6,529 sworn officers).** For information about indemnification denials in the years 2018-2023, see Email from Shea Skinner, Deputy City Solicitor, to author (Aug. 9, 2024) (reporting that “requested information is not compiled, maintained, or organized in a manner responsive to your request” for information about indemnification decisions). Note, however, that Philadelphia provided me with a spreadsheet of lawsuits and settlements/judgments without any indication of officer contributions. See *id.* For the years 2006-2011, Philadelphia denied my request for indemnification information on the ground that the city “do[es] not track cases in which officers were required to financially contribute.”).

**Port Authority of New York and New Jersey (NY/NJ) (1,737 sworn officers).** Port Authority did not respond to my request for information about indemnification decisions/officer contributions in the years 2018-2023. Port Authority did not respond to my request for information about indemnification decisions/officer contributions in the years 2006-2011. Police Indemnification at 998-99.

**Prince George’s County Police Department (MD) (1,662 sworn officers).** Prince George’s County did not respond to my request for information about indemnification decisions/officer contributions in the years 2018-2023. For information about indemnification denials in the years 2006-2011, see Police Indemnification at 993 (reporting that a county attorney wrote: “From institutional memory, there are no instances in the time period 2006 to 2011 that an officer was not indemnified.”).

**Saint Louis Police Department (MO) (1,181 sworn officers).** In response to my request for indemnification denials in 2018-2023, the St. Louis City Counselor produced 3587 pages of legal records and settlement agreements, none of which reference a contribution by an individual officer. See Email from Joseph Sims, Sunshine Law Coordinator, City Counselor’s Office, to author (Oct. 4, 2024). For indemnification decisions in the years 2006-2011 (reporting that the St. Louis Board of Police Commissioners produced information about the total dollars awarded and the number of lawsuits per year, but reported that indemnification denials were “[n]ot specifically tracked”).

**Suffolk County Police Department (NY) (2,498 sworn officers).** Suffolk County reported that “[t]he files are not maintained in a manner that enables the County to identify or locate records” about police officer-involved lawsuits, payments, and indemnification decisions because, “[a]t this time, records are organized by individual name rather than by case type, such as whether a matter involves a police officer.” Letter from Christopher J. Clayton, County Attorney, to author (June 9, 2026). For indemnification decisions in the years 2006-2011, see Police Indemnification at 998 (reporting that Suffolk County represented that “[t]he records requested are not maintained in a manner which would enable the County to identify them in response to this request.”).

**Tucson Police Department (AZ) (842 sworn officers).** Tucson’s risk management department represented that it did not have information about indemnification denials for the years 2018-2023, but

produced a spreadsheet of lawsuits and amounts paid that did not include any officer contributions. See Letter from Martha Castro, Liability Claims Manager, to author (June 28, 2024). Tucson's city attorney's office represented that it did not have information about indemnification denials for the years 2006-2011. See Police Indemnification at 1000 (reporting that the City Attorney's office represented: "[Tucson] does not maintain any responsive records or statistics (or generate reports) that are broken down in the manner you have requested, or that use the categorizations that you are focused on. This is true at all stages of our process: intake, administrative processing, litigation, settlement, trial, and post-trial.>").

## APPENDIX I: SOURCE TABLE FOR SMALLER JURISDICTIONS

The following describes the responses (or lack thereof) from the seventy small and mid-sized jurisdictions I queried for the 2014 study, organized alphabetically. For each jurisdiction, the total number of sworn officers is from the 2018 BJS Law Enforcement Census.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Allentown Police Department (PA) (213 sworn officers).</b> Allentown did not directly respond to my question about whether officers contributed to settlements or judgments against them, but provided me with settlement agreements in ten cases, reflecting payments by the city totaling \$1,767,250, with no indication of officer payments. See email from Bridget Winter, Right-to-Know Officer, to author (July 17, 2024). Note that in one of the settled cases (without officer payment), <i>Klein v. Madison</i>, 17-cv-4507, a jury had awarded punitive damages against four officers, totaling \$55,000. Allentown did not respond to my request for records for the period 2006-2011. See Police Indemnification at 1003.</p> |
| <p><b>Anchorage Police Department (AK) (436 sworn officers).</b> The Anchorage Police Department reported that it did not have responsive records. Email from APD Public Records Center (Jan. 8, 2025). No officer was required to contribute to a settlement or judgment from 2006-2011. See Police Indemnification at 1002.</p>                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p><b>Avondale Police Department (AZ) (122 sworn officers).</b> No officer was denied indemnification or contributed to a settlement or judgment from 2018-2023. See Email from Avondale Police Department to author (July 20, 2026, 7:39 AM). Records provided by Avondale include three settlements during the study period totaling \$2,100,000. In response to my request for the period 2006-2011, Avondale produced records of four cases with payments to plaintiffs and no officer contributions. See Police Indemnification at 1003.</p>                                                                                                                                                                                                 |
| <p><b>Avondale Police Department (AZ) (122 sworn officers).</b> Submitted request 5.13.26. In response to my request for the period 2006-2011, Avondale produced records of four cases with payments to plaintiffs and no officer contributions. See Police Indemnification at 1003.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p><b>Bayonne Police Department (NJ) (194 sworn officers).</b> Bayonne refused to respond to my request for records from 2018-2023. Letter from David C. Rosciszewski, Assistant City Attorney, to author (Nov. 21, 2024). Bayonne objected to my public records request for the years 2006-2011 as overly broad, and did not respond to my amended public records request. See Police Indemnification at 1003.</p>                                                                                                                                                                                                                                                                                                                               |
| <p><b>Boise Police Department (ID) (281 sworn officers).</b> No officer was denied indemnification or contributed to a settlement or judgment from 2018-2023. See Email from Alison Berriochoa to author (Sept. 16, 2024). The City of Boise reportedly paid \$792,500 to settle three cases during the study period. No officer was required to contribute to a settlement or judgment from 2006-2011. See Police Indemnification at 1002.</p>                                                                                                                                                                                                                                                                                                   |

**Cadillac Police Department (MI) (22 sworn officers).** Cadillac did not respond to my request for records from 2018-2023. Cadillac did not respond to my request for records from 2006-2011. See Police Indemnification at 1004.

**Campbell County Sheriff's Office (WY) (61 sworn officers).** Campbell County did not respond to my request for records from 2018-2023. Campbell County did not respond to my request for records from 2006-2011. See Police Indemnification at 1004.

**Cloverdale Police Department (CA) (14 sworn officers).** No lawsuits were filed alleging misconduct by Cloverdale police officers during the study period. See Email from Linda Webb, Police Records Manager, to author (June 12, 2024). Cloverdale did not respond to my request for records from 2006-2011. See Police Indemnification at 1004.

**Cobb County Police Department (GA) (451 sworn officers).** For indemnification decisions/officer contributions in the years 2018-2023 see Letter from Trish Misko, Admin. Division Manager, Cobb County Attorney's Office, to author (June 7, 2024) (reporting that there are "no documents" reflecting any instance in which officers were denied indemnification during the study period). Cobb County estimated that it would cost \$319,20 to produce records reflecting the name and case number of each lawsuit resolved in the years 2018-2023. I did not proceed. No Cobb County officer contributed to settlements or judgments against them from 2006-2011. See Police Indemnification at 1001.

**Contra Costa County Sheriff's Office (CA) (636 sworn officers).** No officer was denied indemnification or contributed to a settlement or judgment in the period 2018-2023. See Email from Jayme Vaccaro to author (Oct. 7, 2024). No officer was denied indemnification or contributed to a settlement or judgment in the period 2006-2011. See Police Indemnification at 1001.

**Decatur Police Department (AL) (unknown).** Submitted request 5.13.26. For the years 2006-2011, see Police Indemnification at 1003 (reporting that an assistant city attorney wrote: "We are absolutely certain that no such [officer] contribution has been required in the time frame you specified.").

**Delaware State Police (DE) (725 sworn officers).** Delaware denied my public records request because I am not a Delaware citizen. See Email from Deborah O'Neill-Hodge, FOIA Coordinator, to author (May 13, 2026, 8:36 AM). Delaware denied my public records request for the years 2006-2011. See Police Indemnification at 1001.

**Eden Prairie Police Department (MN) (68 sworn officers).** No officers contributed to settlements or judgments in the period 2018-2023. Email from Alecia Rose, Human Resources and Administrative Services Director, to author (May 14, 2026, 8:58 AM). No officers contributed to settlements or judgments between 2006-2011. See Police Indemnification at 1004.

**Edgewood Police Department (FL) (14 sworn officers).** No lawsuits were filed alleging misconduct by Edgewood police officers from 2018-2023. See email from Stacey Salemi, Records Custodian, to author (Sept. 18, 2024). No plaintiff received a payment in the years 2006-2011. See Police Indemnification at 1004.

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| <p><b>Eustis Police Department (FL) (37 sworn officers).</b> Eustis did not directly respond to my request about officer indemnifications and/or contributions, but provided a spreadsheet of cases resolved between 2018-2023 with no record of officer contribution. See Email from Mike Shepppart, Deputy Finance Director City of Eustis (June 20, 2024). Eustis did not respond to my request for information from 2006-2011. See Police Indemnification at 1004.</p>                                                                                                                                                                              |
| <p><b>Evansville Police Department (WI) (9 sworn officers).</b> No lawsuits were filed alleging misconduct by Evansville police officers during the study period. See Letter from Evansville Police Department to author (June 11, 2024). No officer contributed to a settlement or judgment in the years 2006-2011. See Police Indemnification at 1004-05.</p>                                                                                                                                                                                                                                                                                         |
| <p><b>Fort Wayne Police Department (IN) (unknown).</b> Request submitted 5.12.26. No officer contributed to a settlement or judgment in 2006-2011. See Police Indemnification at 1001.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p><b>Fruitland Police Department (ID) (12 sworn officers).</b> No lawsuits were filed alleging misconduct by Fruitland police officers during the study period. Letter from Pamela Duncan, Administrative Assistant, to author (Sept. 23, 2024). In response to my request for records from 2006-2011, the police chief reported that they “have never had an officer contribute monetarily or otherwise to satisfy a court settlement or judgment.” Police Indemnification at 1005.</p>                                                                                                                                                               |
| <p><b>Hamilton County Sheriff’s Office (OH) (320 sworn officers).</b> Hamilton County produced records of settlements (that did not reflect any officer contributions) but reports that it “does not maintain a similar database of cases resolved by judgment or dismissal,” and “does not maintain any responsive records” regarding indemnification decisions or policies. See Letter from James S. Sayre to author (Aug. 19, 2024). In response to my request for information from 2006-2011, Hamilton County provided a list of cases but did not have information about whether officers had contributed. See Police Indemnification at 1002.</p> |
| <p><b>Hemet Police Department (CA) (86 sworn officers).</b> Hemet did not respond to my records request for 2018-2023. No officer contributed to a settlement or judgment against them in the period 2006-2011. See Police Indemnification at 1003.</p>                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p><b>Henry County Police Department (GA) (215 sworn officers).</b> Henry County reported that it would take “approximately two weeks” to gather the information I sought, and “[s]taff time will be charged at a rate of \$30.50 per hour.” Email from Holly Lafontaine, to author (June 11, 2024). I did not proceed with the request. Henry County did not respond to my request for records from 2006-2011. See Police Indemnification at 1002-03.</p>                                                                                                                                                                                              |
| <p><b>Hillside Police Department (NJ) (68 sworn officers).</b> Hillside did not directly respond to my request about officer indemnifications and/or contributions, but provided documents reflecting \$1,599,000 paid in two cases resolved between 2018-2023 with no indication of officer contribution. See email from Atiyyah Hall, Township Clerk’s Office, to author (July 24, 2024). Hillside did not respond to my request for records from 2006-2011. See Police Indemnification at 1003.</p>                                                                                                                                                  |

**Howard County Police Department (MD) (469 sworn officers).** No officer was denied indemnification or contributed to a settlement or judgment from 2018-2023. See Letter from Keyonna Kinsler to author (July 22, 2024). Howard County reportedly paid \$191,052.75 to resolve four cases involving motor vehicle accidents during the study period. Id. No officer was denied indemnification or required to contribute to a settlement or judgment from 2006-2011. See Police Indemnification at 1001.

**Irontown Police Department (OH) (unknown).** Irontown did not respond to my records request for 2018-2023. Irontown did not respond to my records request for 2006-2011. See Police Indemnification at 1004.

**Jackson Township Police Department (OH) (45 sworn officers).** No officer was denied indemnification or required to contribute to a settlement or judgment from 2018-2023. See Email from Mark H. Brink, Chief of Police, to author (Mar. 31, 2025). Jackson Township's insurer reportedly paid \$20,400 to resolve two cases during the study period. Id. No officers contributed to a settlement or judgment in the period 2006-2011. See Police Indemnification at 1005.

**Johnson County Sheriff's Office (KS) (465 sworn officers).** Johnson County reported that it would cost approximately \$199 "to research, retrieve and produce the open portions of these records," including three hours of staff supervising attorney time, an hour of staff paralegal time, and half an hour of a litigation supervisor's time. See Email from Sheila Clemens to Ramzi Haddad (June 7, 2024). I did not proceed. Johnson County reported that it did not have information responsive to my 2006-2011 request. See Police Indemnification at 1001.

**Jonesboro Police Department (GA) (313 sworn officers).** Jonesboro did not respond to my request for records from 2018-2023. Jonesboro did not respond to my request for records from 2006-2011. See Police Indemnification at 1004.

**Kileen Police Department (TX) (unknown).** Kileen did not directly respond to my request about officer indemnifications and/or contributions, but provided documents reflecting \$160,000 paid in three cases resolved between 2018-2023 with no indication of officer contribution. See email from Atiyah Hall, Township Clerk's Office, to author (July 24, 2024). Kileen did not respond to my public records request for the years 2006-2011. See Police Indemnification at 1003.

**Lennox Police Department (SD) (4 sworn officers).** No lawsuits were filed alleging misconduct by Lennox police officers during the 2018-2023 study period. See Email from Brett Lovrien to author (Oct. 7, 2024). Lennox did not respond to my request for records from 2006-2011. See Police Indemnification at 1005.

**Lincolnton Police Department (NC) (119 sworn officers).** No lawsuits were filed alleging misconduct by Lincolnton police officers from 2018-2023. See Email from Tanya Osborne to author (Oct. 18, 2024). There were no cases in which plaintiffs received payment in the years 2006-2011. Police Indemnification at 1004.

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| <p><b>Livermore Police Department (CA) (93 sworn officers).</b> Livermore did not respond to my request for 2018-2023. Livermore did not respond to my request for records from 2006-2011. See Police Indemnification at 1003.</p>                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p><b>Manatee County Sheriff's Office (FL) (503 sworn officers).</b> Request submitted 5.12.26. No officers were denied indemnification or required to contribute to a settlement or judgment against them in 2006-2011. See Police Indemnification at 1001.</p>                                                                                                                                                                                                                                                                                                                                                                                       |
| <p><b>Marshall County Sheriff's Office (IN) (unknown).</b> Marshall County did not respond to my request for records from 2018-23. Marshall County did not respond to my request for records from 2006-11. See Police Indemnification at 1004.</p>                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p><b>Milford Police Department (CT) (114 sworn officers).</b> Milford did not respond to my request for 2018-2023. Milford did not respond to my request for the years 2006-2011. See Police Indemnification at 1003.</p>                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p><b>Minnesota State Patrol (MN) (618 sworn officers).</b> Minnesota State Patrol refused to respond to my request, reporting that “[i]ndemnification data is private personal data under MN Statute 13.43.” Email from Lindsay Daraitis, Staff Attorney, to author (Sept. 26, 2024). For indemnification decisions from 2006-2011, see Police Indemnification at 1001 (reporting that an official from the Minnesota State Patrol said he would “bet [his] next paycheck we didn’t have any troopers contribute to the settlements during that period.”).</p>                                                                                        |
| <p><b>Mobile Police Department (AL) (507 sworn officers).</b> Mobile denied my public records request because I am not an Alabama citizen. See Email from James Harred, Assistant City Attorney, to author (May 12, 2026, 2:19 PM). Mobile did not respond to my request for payout and indemnification information from 2006-2011. See Police Indemnification at 1001.</p>                                                                                                                                                                                                                                                                            |
| <p><b>Montezuma County Sheriff's Office (CO) (32 sworn officers).</b> Montezuma County produced records of lawsuits from 2018-2023, none of which reflect a case in which a plaintiff received payment, nor an instance of officer contribution. See Email from Montezuma County Sheriff's Office Public Records to author (Oct. 24, 2024 1:57 PM) (attaching records). Montezuma County did not respond to my request for records from 2006-2011. See Police Indemnification at 1004.</p>                                                                                                                                                             |
| <p><b>Moulton Police Department (AL) (11 sworn officers).</b> The Moulton Police Chief reported that his office does not manage lawsuit records and they are “between city attorneys.” Email from Russell Graham to author (July 1, 2024). Moulton forwarded our request to the Office of Courts, which provided us a list of state cases in which the police department was named as a party, but no record of settlement or judgment payments or amounts. See Email from Scott Hoyem, Public Information Officer to author (Oct. 9, 2024). Moulton did not respond to my request for records from 2006-2011. See Police Indemnification at 1004.</p> |
| <p><b>Naperville Police Department (IL) (162 sworn officers).</b> No Naperville police officer was denied indemnification or required to contribute to a settlement or judgment in the years 2018-2023. Email from</p>                                                                                                                                                                                                                                                                                                                                                                                                                                 |

Mike DiSanto, City Attorney, to author (Oct. 8, 2024). Naperville produced records reflecting payments totaling \$418,000 in four cases. See email from City of Naperville Citizen Support to Ramzi Haddad (June 28, 2024). No officers were required to contribute to settlements or judgments in the period 2006-2011. See Police Indemnification at 1003.

**Nettleton Police Department (MS) (5 sworn officers).** No lawsuits were filed alleging misconduct by Nettleton police officers during the study period. Email from Nettleton City Clerk to Ramzi Haddad (June 17, 2024). Nettleton did not respond to my request for records from 2006-2011. See Police Indemnification at 1005.

**New Bedford Police Department (MA) (250 sworn officers).** No New Bedford police officer was denied indemnification or required to contribute to a settlement or judgment in the years 2018-2023. Email from Jonathan Darling, Public Information Officer, to author (Sept. 24, 2024). New Bedford produced records reflecting payments totaling \$25,000 in two cases. See email from Romina Moniz to author (July 11, 2024). No New Bedford police officer was denied indemnification or required to contribute to a settlement or judgment in the years 2006-2011. See Police Indemnification at 1002.

**New Hampshire State Police (NH) (353 sworn officers).** One New Hampshire state police officer was denied indemnification during the study period. See Letter from Marta A. Modigliani, to author (Oct. 1, 2024). Modigliani represented that New Hampshire had no record of settlement agreements with Officer Monaco. Id. I wrote the attorneys who represented plaintiffs in the case, *Simone v. Monaco*, 20-cv-0336, and they reported that the terms of the settlement are confidential. See Email from Darryl Abbas to author (July 17, 2026, 7:28 AM). There was one other case resolved during the study period in which New Hampshire paid a settlement of \$205,000. See Letter from Marta A. Modigliani, to author (Oct. 1, 2024). No officer was required to contribute to a settlement in the period 2006-2011. See Police Indemnification at 1002.

**North Kingston Police Department (NY) (unknown).** North Kingston did not respond to my request for records from 2018-2023. North Kingston did not respond to my request for records from 2006-2011. See Police Indemnification at 1004.

**Ohio Department of Public Safety (OH) (unknown).** Ohio Department of Public Safety refused to respond to my request, asserting that it is “overly broad” and that “the information is not kept in a single list and would require the department to compile which is not required by law.” See Email from Public Safety Ohio to author (Oct. 7, 2024).

**Oldham County Sheriff’s Office (KY) (14 sworn officers).** Oldham County did not respond to my request, citing Kentucky state law which limits public records requests to “residents of the Commonwealth.” Email from Jim Acquisto, Chief Deputy, to Ramzi Haddad (June 13, 2024). Oldham County reported that, from 2006-2011, only one lawsuit was filed and the jury found in favor of the sheriff’s office. See Police Indemnification at 1004.

**Omaha Police Department (NE) (830 sworn officers).** No Omaha police officer was denied indemnification or required to contribute to a settlement or judgment in the years 2018-2023. Email from

Bernard J. in den Bosch, Deputy City Attorney, to author (Sept. 30, 2024). Omaha reported seventeen settlements and judgments from 2017-2020, totaling \$1,809,500. See *id.* Omaha did not respond to my request for payout and indemnification information in the years 2006-2011. See Police Indemnification at 1001.

**Overland Park Police Department (KS) (245 sworn officers).** No Overland Park police officer was denied indemnification or required to contribute to a settlement or judgment in the years 2018-2023. Email from Eric R. Blevins, Assistant City Attorney to author (June 24, 2024). Overland Park produced records reflecting a settlement in one case totaling \$2,300,000. See Settlement Agreement and Release, *Albers v. City of Overland Park*, 18-cv-2185 (D. Kan.). No Overland Park police officer was denied indemnification or required to contribute to a settlement or judgment in the years 2006-2011. See Police Indemnification at 1002.

**Pelham Police Department (AL) (72 sworn officers).** Pelham refused to respond to my request, citing Alabama law which limits public records requests to residents of the state of Alabama. Letter from Joshua D. Arnold to author (June 13, 2024). Pelham did not respond to my request for records from 2006-2011. See Police Indemnification at 1004.

**Phelps County Sheriff's Office (MO) (27 sworn officers).** Phelps County did not directly respond to my request about officer indemnifications and/or contributions, but provided documents reflecting \$921,401.98 paid in three cases resolved between 2018-2023 with no indication of deputy contribution. See Email from Laura Johnson, Phelps County Clerk and Election Authority, to Ramzi Haddad (Jul. 29, 2024). No officer contributed to a settlement or judgment in the years 2006-2011. See Police Indemnification at 1004.

**Plattsburgh Police Department (NY) (46 sworn officers).** No Plattsburgh police officer was denied indemnification or required to contribute to a settlement or judgment in the years 2018-2023. Email from Sylvia Parrotte, City Clerk, to author (July 30, 2024 8:39 AM). Plattsburgh produced records reflecting settlements in two cases totaling \$290,000. See Email from Sylvia Parrotte to author (July 30, 2024 5:35 AM). Plattsburgh did not respond to my request for records from 2006-2011. See Police Indemnification at 1004.

**Pocatello Police Department (ID) (91 sworn officers).** No Pocatello police officer was denied indemnification or required to contribute to a settlement or judgment in the years 2018-2023. Email from Konni Kendell, City Clerk, to author (Sept. 25, 2024 8:59 AM). During this period, one case was filed and settled, but “the City does not have any of those related documents.” *Id.* No officers contributed to settlements or judgments in the period 2006-2011. See Police Indemnification at 1003.

**Polk County Sheriff's Office (FL) (676 sworn officers).** Polk County reported that responding to my request would cost approximately \$1,142 because “[w]e do not keep statistics on the information you have requested, therefore your request will require a file by file review to obtain the documents containing the information you are requesting,” a process estimated to take 40 hours to complete at \$28.55 per hour. Email from Jason A. Reuter, Associate Staff Attorney, Polk County Sheriff's Office, to

author (Oct. 16, 2024). I did not proceed with the request. Polk County did not provide information in response to my request for records from 2006-2011. See Police Indemnification at 1001.

**Prentiss County Sheriff's Office (MS) (17 sworn officers).** Prentiss County reported that lawsuits against individual officers are not subject to disclosure under Mississippi's public records law, but reported, notwithstanding, that there were no instances in which officers were denied indemnification or required to contribute to settlements or judgments against them during the study period. See Email from Casey L. Lott, to author (Oct. 3, 2024). Prentiss did not respond to my request for records from 2006-2011. See Police Indemnification at 1005.

**Pueblo County Sheriff's Office (CO) (180 sworn officers).** Pueblo County did not directly respond to my question about whether officers contributed to settlements or judgments against them, but provided me with a spreadsheet of case dispositions, with no indication of officer payments. See Email from Terry Baca, Supervisor-Records, to author (Jan. 14, 2025) (attaching records). No officer contributed to a settlement or judgment in the years 2006-2011. See Police Indemnification at 1003.

**Quincy Police Department (MA) (219 sworn officers).** Quincy did not respond to my request for the years 2018-2023. Quincy reported that there were no cases in which plaintiffs received payment in the period 2006-2011. See Police Indemnification at 1003.

**Raleigh Police Department (NC) (756 sworn officers).** Raleigh did not directly respond to my request for records, but produced records of settlements in thirty-two cases, none of which reflected a contribution by an officer. Raleigh confirmed that no officer contributed to a settlement or judgment in cases from 2006-2011. See Police Indemnification at 1001.

**Sandy City Police Department (UT) (101 sworn officers).** No Sandy City police officer was denied indemnification or required to contribute to a settlement or judgment in the years 2018-2023. Letter from Wendy Downs, City Recorder, to author (June 14, 2024). There were no payments to plaintiffs in police misconduct cases in the years 2018-2023. See Email from Wendy Downs to author (Feb. 9, 2024) (attaching documents from three cases, all of which were dismissed without payment to plaintiff). No officer was required to contribute to a settlement or judgment in the years 2006-2011. See Police Indemnification at 1003.

**Santa Fe Police Department (NM) (177 sworn officers).** Santa Fe did not directly respond to my request for information about officer indemnification and/or contributions, but provided me with settlements and other resolutions of cases filed against its officers, none of which reflected officer contributions. See Email from City of Santa Fe to author (Sept. 25, 2024 4:44 PM) (attaching documents). Santa Fe did not respond to my request for records for the period 2006-2011. See Police Indemnification at 1004.

**Schaumburg Police Department (IL) (107 sworn officers).** Schaumburg did not respond to my request for records from 2018-2023. No officer contributed to a settlement or judgment in the period 2006-2011. See Police Indemnification at 1003.

**Springfield Police Department (IL) (241 sworn officers).** Springfield denied my request on the ground that it was “unduly burdensome.” As the city’s representative explained: “The City of Springfield’s legal database does not currently possess the capability to search which lawsuits filed against the City of Springfield include an employee of SPD nor which ones contain allegations of employees acting in the official capacity. In order to comply with your request, the City would have to go through each individual case/lawsuit in order to determine if it is responsive to your request. Additionally, several cases/lawsuits are stored in another location because they have been closed/concluded. Accordingly, compliance with your request would currently unduly burden the City’s operations as it would take several weeks (possibly months) for limited, appropriate City staff to locate and go through each individual casefile/lawsuit since 2018 (6 years [sic] worth of information) in order to determine which ones are actually responsive to your request, determine whether any portion thereof is exempt from disclosure, or whether any portion thereof is subject to redaction.” Letter from Kateah McMasters, FOIA Officer, to author (June 12, 2024). In response to my request for the period 2006-2011, Springfield attached settlement agreements in cases resolved during the study period, none of which reflected contributions by officers. See Police Indemnification at 1002.

**St. Mary’s County Sheriff’s Office (MD) (209 sworn officers).** St Mary’s County produced a litigation report reflecting one settlement for \$75,000 in the study period, and clarified that the report would have included any instance in which officers were denied indemnification during the study period. Email from Brandy McKelvey, Paralegal, Office of the County Attorney, to author (Oct. 3, 2024). No plaintiffs received payment in a case from 2006-2011. See Police Indemnification at 1003.

**Summit County Sheriff’s Office (OH) (332 sworn officers).** Sandy City produced documents related to fifteen suits resolved in the study period, and confirmed that no police officer was denied indemnification or required to contribute to a settlement or judgment in the years 2018-2023. Letter from Robert C. Higham, Department of Law and Risk Management, to author (Aug. 4, 2025). No officer contributed to a settlement or judgment from 2006-2011. See Police Indemnification at 1002.

**Sutton Police Department (NH) (3 sworn officers).** Sutton did not respond to my request for records from 2018-2023. Sutton did not respond to my request for records from 2006-2011. See Police Indemnification at 1005.

**Tomball Police Department (TX) (45 sworn officers).** Tomball reported that it had no information responsive to my request for the period 2018-2023. Email from City of Tomball to author (June 28, 2024). Tomball did not respond to my public records request from 2006-2011. See Police Indemnification at 1004.

**Town and Country Police Department (MO) (29 sworn officers).** Town and County responded that “we do not maintain a database of employee litigations” but “our best recollection” is that no suits were resolved between 2018-2023. Email from Laurie Hange, Administrative Manager/Records Clerk, to author (June 17, 2024 2:23 PM). No officer was required to contribute to a settlement or judgment in the period 2006-2011. See Police Indemnification at 1004.

**Tulsa County Sheriff's Office (OK) (270 sworn officers).** Request for information submitted 5.12.26. No officer contributed to a settlement or judgment against them in 2006-2011. See Police Indemnification at 1002.

**Waco Police Department (TX) (251 sworn officers).** Waco did not directly respond to my request for information about officer indemnification denials and/or contributions, but produced litigation records reflecting no successful suit resolved in the years 2018-2023. See Letter from Diane G. Saucedo, paralegal, to author (June 27, 2024) (attaching records). No Waco police officer contributed to a settlement or judgment in the years 2006-2011. See Police Indemnification at 1002.

**Washoe County Sheriff's Office (NV) (426 sworn officers).** Washoe County did not directly respond to my request for information about officer indemnification denials and/or contributions, but produced litigation records reflecting no successful suits. Email from Washoe County Sheriff's Office to author (July 10, 2024) (attaching records). For the period 2006-2011, Washoe County did not provide information responsive to my request. See Police Indemnification 1001-02.

**Waterloo Police Department (IA) (120 sworn officers).** Waterloo produced records reflecting settlements in seven suits during the study period, and confirmed that no police officer was denied indemnification or required to contribute to a settlement or judgment in the years 2018-2023. Letter from Bruce L. Gettmann, Jr. to author (Oct. 23, 2024). Waterloo reported that there were no lawsuits brought against Waterloo officers in the years 2006-2011. See Police Indemnification at 1005.

**Williamsburg Police Department (NM).** Williamsburg reported that the police department had closed and the village "has not been named as a defendant or had to indemnify any employee within the timeframe requested." Email from Amanda B. Cardona, Clerk/Treasurer, to Ramzi Haddad (June 10, 2024). Williamsburg reported that it had closed its police department and did not have responsive records for the period 2006-2011. Police Indemnification at 1004.

**Yellowstone County Sheriff's Office (MT) (52 sworn officers).** Yellowstone County did not respond to my request for records from 2018-2023. No officers contributed to settlements or judgments against them from 2006-2011. See Police Indemnification at 1004.