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PUBLIC EMPLOYMENT - NORTH DAKOTA

Potts v. City of Devils Lake

Supreme Court of North Dakota - January 12, 2021 - N.W.2d - 2021 WL 99712 - 2021 IER Cases 95422021 ND 2

Dismissed municipal police officer involved in fatal shooting brought wrongful termination action against municipality.

The District Court granted municipality's motion for summary judgment, and officer appealed.

The Supreme Court held that at-will municipal police officer who fatally discharged his firearm during the course of his duties could be discharged by the municipality at any time and for any reason, notwithstanding that he had allegedly fired in self-defense; there was no "self defense of police officers" exception to at-will employment doctrine.

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