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Berrier v. Minnesota State Patrol

Supreme Court of Minnesota - July 17, 2024 - N.W.3d - 2024 WL 3434557

Car dealership employee brought action against State Patrol under the strict liability dog-bite statute arising from an unprovoked attack on employee by a State Patrol canine when a patrol vehicle was in for service at dealership.

The District Court denied State Patrol's motion to dismiss. State Patrol appealed. The Court of Appeals reversed and remanded. Employee petitioned for review, which was granted.

The Supreme Court held that dog-bite statute waived sovereign immunity for claims brought under the statute.

Strict liability dog-bite statute plainly, clearly, and unmistakably waived sovereign immunity for claims brought under the statute, and thus the State Patrol was not immune from car dealership employee's claim arising from an unprovoked attack on employee by a State Patrol canine when a patrol vehicle was in for service at dealership, where statute provided that the "owner of the dog" was liable in damages to an injured person, the phrase "owner of the dog" bound a party based on their relationship to the thing that was owned and not based on the party's form of entity, statute contained no language otherwise suggesting that its application was limited to non-State entities, statute served public policy interests that favored imposing liability on public bodies, and State was not exposed to broad liability under statute.

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