

Bond Case Briefs

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LIABILITY - DISTRICT OF COLUMBIA

District of Columbia v. Bamidele

District of Columbia Court of Appeals - November 13, 2014 - A.3d - 2014 WL 5858952

Restaurant patron and his wife brought action against off-duty police officers and their employer after officers allegedly assaulted and battered them. Following a jury trial, the Superior Court entered judgment in favor of patrons. Officers and employer appealed.

The Court of Appeals held that:

- Compensatory damage awards to patron and his wife of \$60,000 and \$10,000, respectively, were not excessive;
- Officers' conduct in assaulting patron was sufficiently aggravated to support an inference that they intended to injure patron, as required to support award of punitive damages;
- Officers' assaultive conduct against patron was not within the scope of their employment; and
- Jury's findings that officers acted within the scope of their employment were not legally sufficient to make employer vicariously liable for punitive damages.