

Bond Case Briefs

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McConnell v. Dudley

Supreme Court of Ohio - November 20, 2019 - N.E.3d - 2019 WL 6138542 - 2019 -Ohio-4740

Motorist injured in an automobile accident with police officer who had been engaged in high-speed chase brought action against township, township's police department, and officer, alleging negligence, negligent hiring and training, and loss of consortium.

The Court of Common Pleas denied defendants' motion for summary judgment. Defendants appealed. The Court of Appeals affirmed in part and reversed in part. Township sought discretionary review.

The Supreme Court held that exception to political subdivision immunity for negligent operation of motor vehicle did not encompass action alleging that political subdivision negligently hired, trained, or supervised its employee.

Exception to political subdivision immunity for negligent operation of a motor vehicle did not encompass an action alleging that a political subdivision negligently hired, trained, or supervised a police officer who was involved in a motor-vehicle accident while responding to an emergency call; a political subdivision could not itself be negligent in the operation of a vehicle, as political subdivisions did not drive, but instead the language of the immunity statute demonstrated that it was the conduct of a subdivision's employee that established the exception from immunity.