

# **Bond Case Briefs**

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## **LIABILITY - MINNESOTA**

### **Reetz v. City of Saint Paul**

**Supreme Court of Minnesota - March 17, 2021 - 956 N.W.2d 238**

Police officer petitioned for writ of certiorari, to challenge city's determination that officer was not entitled to defense and indemnification in connection with a personal-injury lawsuit alleging that his conduct while providing security for a homeless shelter caused or contributed to injuries from a stabbing incident.

The Court of Appeals reversed. City petitioned for review.

The Supreme Court held that:

- City's decision not to defend and indemnify its employee was a quasi-judicial decision that could only be appealed by writ of certiorari; and
- City had no duty to defend and indemnify police officer in connection with a personal-injury lawsuit.

City's decision not to defend and indemnify its employee in connection with a personal-injury lawsuit alleging that his conduct while providing security for a homeless shelter caused or contributed to injuries from a stabbing incident was a quasi-judicial decision that could only be reviewed by writ of certiorari; there was a genuine dispute over whether the officer was entitled to defense and indemnification, the city gathered and weighed evidence to reach a decision on the issue, the process used by the city resembled a judicial proceeding, and the statute governing indemnification of city employees did not provide for a right of review.

City had no duty to defend and indemnify police officer in connection with a personal-injury lawsuit alleging that his conduct while providing security for a homeless shelter caused or contributed to injuries from a stabbing incident; the police officer, who, while acting as a security officer, was searching persons and their belongings for weapons and alcohol, would have had no authority as a police officer to confiscate a knife from shelter's client, and was instead, acting in a purely private capacity.