

Bond Case Briefs

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IMMUNITY - DISTRICT OF COLUMBIA

Thurman v. District of Columbia

District of Columbia Court of Appeals - September 15, 2022 - A.3d - 2022 WL 4241684

Juvenile brought action against District of Columbia and police officers alleging negligence and excessive force arising from his being bitten by police dog that officers released into house without a canine warning to search for potentially armed juvenile suspects during a burglary call.

The Superior Court granted summary judgment for District of Columbia and officers. Juvenile appealed.

The Court of Appeals held that:

- Juvenile could use defense expert's affidavit on standard of care about deploying police dogs on juvenile suspects at summary judgment stage;
- Factual issues on any deviation from standard of care and causation precluded summary judgment on negligence claims against officers;
- Sovereign immunity barred claims of negligent hiring, training, and supervision against District of Columbia;
- Officers had qualified immunity from excessive force claims; and
- District of Columbia did not have *Monell* liability on excessive force claims.