



Police Professional Liability: A Necessary Evolution in Security

As the need for well-trained, experienced security personnel grows, organizations are gradually turning to law enforcement professionals to ensure safety and compliance. As entities like transit authorities, housing authorities, schools and hospitals seek to enhance their security measures, there's a noticeable shift towards hiring off-duty police officers instead of relying solely on traditional security guards. This transition reflects the growing need for personnel that have the proper training, arrest authority and the ability to handle complex security situations effectively.

Moreover, state-certified law enforcement officers benefit from qualified immunity, offering them protection against frivolous lawsuits and civil damages—an advantage that security guards typically do not have.

CONTACT

To learn more about how Amwins can help you place coverage for your clients, reach out to your local Amwins broker.

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New entities seek PPL

Historically, Police Professional Liability (PPL) coverage has been associated with organizations like police departments and sheriff's departments. These organizations have long recognized the need for specialized liability coverage to protect against claims of civil rights violations and other legal actions that may arise from the conduct of their officers.

With the current trend of hiring off-duty police officers for security roles, a broader range of entities are now seeking PPL coverage, including:



Special service districts - Entities with a specific function, such as transit authorities, that employ law enforcement officers.



Other public entities - Schools, hospitals, housing authorities and other institutions that are increasingly hiring off-duty or retired law enforcement officers.



External factors play a role in coverage

Several external factors influence the need for and the cost of PPL coverage:



Population density - The size and density of the population in the city, town, county or other political subdivision where services are provided can significantly affect liability risks and insurance pricing.



Proximity to major urban centers - Nearby cities with large populations may influence the liability environment because there tends to be more lawyers in densely populated areas, leading to increased litigation unfriendly to police departments and insurance companies defending them.



Types of facilities - The specific facilities within an entity's jurisdiction, such as hospitals or schools, can determine the level of risk and the corresponding need for comprehensive coverage.

At the same time and in response to increasing security concerns, entities are progressively opting for better-trained staff, including off-duty, retired and active law enforcement officers. This shift is driven by the understanding that the risks associated with civil rights violations and other legal issues are beyond the scope of traditional General Liability (GL) coverage typically used for security guards. Unlike GL coverage, which does not extend to civil rights violations, PPL provides the necessary protection for these situations.



The importance of adequate coverage

In today's complex environment, having the right security personnel and the appropriate liability coverage is not just a best practice—it's a necessity. For entities hiring off-duty police officers, it's important to think about the potential liability not just for what they do, but also for what they might fail to do. For example, in a politically charged environment or during events with an elevated risk of violence, hiring unskilled security guards instead of trained police officers could result in significant liability.

Another example to highlight is a building in the Cincinnati suburbs, once a long-time subsidized housing complex in a high-crime area, was sold to new developers. Their plan was to evict the low-income tenants, undertake a complete gut-rehabilitation, and convert the units into upscale, market-rate apartments. Unfortunately, the displaced tenants lacked the financial means to relocate nearby. In a tragic turn, one of the displaced tenants set fire to the building, resulting in millions of dollars in damages. This incident significantly complicated and increased the cost of insuring the project moving forward. In response, the new owners hired 24/7 security to protect their investment.

The shift towards hiring off-duty police officers for security roles is not just a trend, it's a response to the evolving landscape of societal risks and the need for heightened security. As organizations move away from traditional security guards in favor of law enforcement professionals, the importance of PPL coverage becomes increasingly apparent.

This specialized coverage is essential in addressing the unique legal exposures that result from the actions and decisions of trained officers, ensuring that organizations are protected against claims what could otherwise result in significant financial and reputational damage.

We help you win

Amwins stands out as a trusted partner for entities seeking comprehensive PPL coverage. We provide tailored insurance solutions that address the specific needs of each client. Whether protecting against civil rights violations or ensuring adequate security for high-risk events, our team offers the expertise and coverage necessary to safeguard your organization.

As you counsel clients on improving safety with trained police officers, Amwins is here to assist with the insurance solutions that protect them in an increasingly complex and changing world.

Insights provided by:

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