



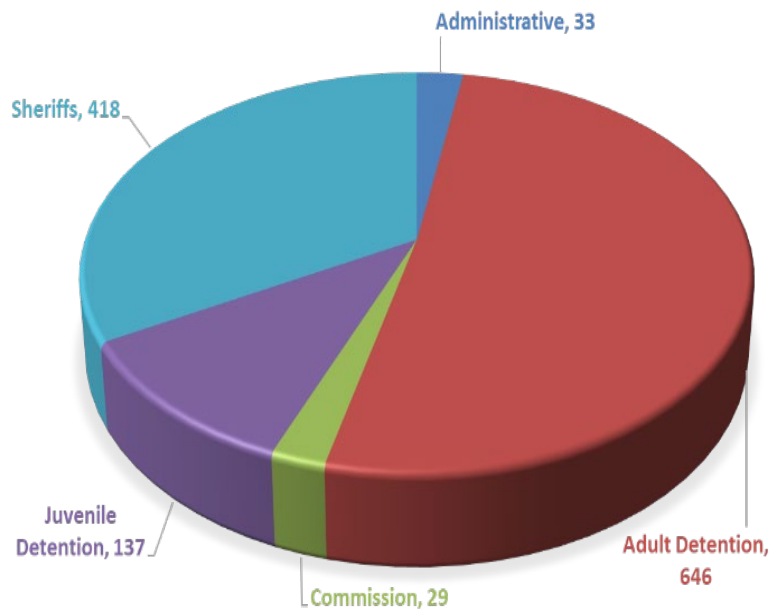
New Mexico Counties Information Requested by New Mexico Civil Rights Commission

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1. Number of civil rights lawsuits against counties and their employees covered by the New Mexico County Insurance Authority (NM CIA) filed for a five-year period providing a breakdown by department.

NMC is providing information on all civil rights claims (not just lawsuits) for policy years 2012-2016 (total 1,283). We used these five policy years because they are the most recent policy years for which the statute of limitations has run. This graph illustrates the number of Civil Rights claims by department for policy years 2012-2016.

**Number of Civil Rights Claims
Policy Years 2012 - 2016
By Department**



2. Percentage of lawsuits covered by NMCIA for 2012-2016 that have been civil rights cases.

**Number of Litigated Claims with Percentage of Civil Rights Claims
Policy Years 2012-2016**

	Type of Claim	Number Litigated Claims	Number Civil Rights Claims	% Civil Rights Claims
2012	Employment Practices Liability	92	90	98%
	Law Enforcement	120	82	68%
	All Other Claims	153	-	
	Total	365	172	47%
2013	Type of Claim	Number Litigated Claims	Number Civil Rights Claims	% Civil Rights Claims
	Employment Practices Liability	49	35	71%
	Law Enforcement	151	113	75%
	All Other Claims	134	-	
Total	334	148	44%	
2014	Type of Claim	Number Litigated Claims	Number Civil Rights Claims	% Civil Rights Claims
	Employment Practices Liability	168	160	95%
	Law Enforcement	201	125	62%
	All Other Claims	185	-	
Total	554	285	51%	
2015	Type of Claim	Number Litigated Claims	Number Civil Rights Claims	% Civil Rights Claims
	Employment Practices Liability	22	17	77%
	Law Enforcement	179	98	55%
	All Other Claims	201	-	
Total	402	115	29%	
2016	Type of Claim	Number Litigated Claims	Number Civil Rights Claims	% Civil Rights Claims
	Employment Practices Liability	33	31	94%
	Law Enforcement	118	85	71%
	All Other Claims	277	-	
Total	378	116	31%	
Total 2012-2016		2,033	836	41%

3. The total amount of money paid out in settlements and judgments each year for civil rights cases during the 2012-2016 policy years, including attorney fees based on a conservative 33% estimated contingency.

**Civil Rights Claims
Settlement/Judgment and Plaintiff/ Plaintiff Attorney Payments
2012-2016**

Year	Type of Claim	Paid Settlements & Judgment	Paid to Plaintiff Attorney (Note 2)	Paid Attorney Fees (Note 3)	Total Paid to Plaintiff
2012	Employment Practices Liability	1,143,782	377,448	50,000	766,334
	Law Enforcement	3,792,000	1,251,360		2,540,640
2013	Employment Practices Liability	517,314	170,714	31,500	346,600
	Law Enforcement	3,475,201	1,146,816		2,328,385
2014	Employment Practices Liability	1,085,074	358,074		727,000
	Law Enforcement	12,162,200	4,013,526		8,148,674
2015	Employment Practices Liability	776,678	256,304	223,822	520,374
	Law Enforcement	13,737,300	4,533,309	605,728	9,203,991
2016	Employment Practices Liability	991,028	327,039	284,304	663,989
	Law Enforcement	10,486,000	3,460,380	60,000	7,025,620
	Total EPL	4,513,876	1,489,579	589,626	3,024,297
	Total LE	43,652,701	14,405,391	665,728	29,247,310
	Grand Total	48,166,577	15,894,970	1,255,354	32,271,607

Note 1> NMC paid one judgment in policy year 2015 in the amount of \$52,884.

Note 2> Amount paid to plaintiff attorney is conservatively estimated to be at 33% of the paid settlement.

Note 3> Paid attorney fees are payments made directly to the plaintiff attorney.

4. Total amounts paid in plaintiff attorney fees and costs for civil rights cases for policy years 2012-2016 if a 40% contingency is applied:

Estimated attorney fees at 40%: \$19,266,630
Paid attorney fees: \$1,255,354
\$20,521,984

Total amounts paid in plaintiff attorney fees and costs for civil rights cases for policy years 2012-2016 if a 33% contingency is applied:

Estimated attorney fees at 33%: \$15,894,970
Paid attorney fees: \$1,255,354
\$ 17,150,324

- Amounts paid in defense attorneys' fees and litigation costs for each policy year 2012-2016 (actual).

**Paid Legal and Paid Expenses
Civil Rights Claims
2012-2016**

Policy Year	Type of Claim	Paid Legal	Paid Expenses
2012	Employment Practices Liability	1,112,209	84,813
	Law Enforcement	3,181,718	297,051
2013	Employment Practices Liability	952,214	75,788
	Law Enforcement	1,312,696	127,722
2014	Employment Practices Liability	869,102	71,182
	Law Enforcement	2,195,824	568,229
2015	Employment Practices Liability	633,481	56,456
	Law Enforcement	2,775,852	635,530
2016	Employment Practices Liability	1,626,953	203,409
	Law Enforcement	2,531,999	478,360
	Total EPL	5,193,959	491,648
	Total LE	11,998,089	2,106,892
	Grand Total	17,192,048	2,598,540

- Coverage Provided: The NM County Insurance Authority (NMCIA) provides civil rights coverage for 29 of the 33 NM counties. NMCIA carries a \$2,000,000 per claim Self Insured Retention (SIR). Reinsurance purchased by the Pool provides an additional \$3,000,000 per claim for most counties and coverages.
- NMCIA provides civil rights coverage for 29 of the 33 NM counties. The policy year Coverage Agreement is the NMCIA policy.
- NMCIA determines premiums for all lines of coverage. A professional actuary is engaged to look at all historical data and anticipated budgets, and then provides a funding study that forms the basis of our premium allocation. NMC staff augments the actuarial analysis with known subjective data to determine each county's contribution (premium). The NMCIA Board approves the final contribution amounts.
- The NMCIA Actuary is Steven Glicksman.
- Every county has a per claim deductible that it is responsible for

paying. Deductible amounts vary. NMCIAs pay the balance of the claim up to the SIR. If the settlement/judgement/costs penetrate the reinsurance layer, NMCIAs pay those amounts and is reimbursed by the reinsurer. If the settlement/judgment/costs exceed the reinsurance coverage, the county is responsible for paying the balance.

11. NMCIAs have emphasized preventative measures for many years. NMC has a Loss Prevention Department with staff having over 120 years of experience in detention, law enforcement, employment law and practical safety practices. We worked with counties to create an adult detention accreditation program and we provide trainings, webinars, facility inspections, legal advice, and direct assistance to members when requested.