

1. How many civil rights lawsuits against public employees/public entities covered by your entity have been filed each year for the past five years? If possible, please provide a breakdown of how many of these were against police officers/departments? Corrections officers/correctional facilities? School employees/schools? Other government employees/entities?

FY16: 51  
FY17: 52  
FY18: 43  
FY19: 31  
FY20: 13

2. What percentage of the lawsuits covered by your entity over the last five years have been civil rights cases? **These numbers reflect the share of civil rights lawsuits filed each fiscal year as a percentage of overall claims, or active claim or litigation files.**

FY16: 9.1%  
FY17: 8.8%  
FY18: 4.5%  
FY19: 5.6%  
FY20: 2.9%

3. What was the total amount of money paid out in settlements and judgments each year for civil rights cases over the last five years? If possible, please delineate how much was paid in settlement and how much in judgement. **These numbers reflect settlements on claims that involved litigation.**

FY16: \$1,646,347  
FY17: \$1,999,326  
FY18: \$1,304,950  
FY19: \$524,867  
FY20: \$61,311

4. How much did you pay in plaintiffs' attorneys' fees and costs for civil rights cases each year for the last five years?

NMSIF is unable to track what a plaintiff's attorney is paid in a majority of cases. Therefore, an assumption of 30% of settlements and judgements is provided as an approximation.

FY16: \$493,904  
FY17: \$599,798  
FY18: \$391,485  
FY19: \$157,461  
FY20: \$18,394

5. How much did you pay in defense attorneys' fees and costs for each year over the last five years?

FY16: \$1,590,729.40

FY17: \$1,275,799.33

FY18: \$871,690.50

FY19: \$295,114.46

FY20: \$50,629.41

6. What coverage is provided for your civil rights cases and by whom? (e.g. private insurance, self-insure, excess policies)

We do self-insure our liability claims, and the substance of that coverage is located within our various coverage document(s).

7. Are insurance policies or certificates issued? If so, please provide sample copies. If not, please provide any other documents that set forth what is covered.

Our liability policy packet is the source document for coverage, and our liability declarations page indicate(s) specific elements of that coverage as they apply to an individual insured.

8. How are premiums determined and by whom?

We're undertaking a methodology change in how we allocate. While the League has traditionally focused on accumulation and developed rates internally, technological capabilities of our time allow us to inject more sophisticated exposure/experience data, along with a number of regional and exposure-type variance.

9. Identify any actuarial consultants you have employed over the last five years and please provide any studies or reports they provided to you related to civil rights claims.

The League is working with AON to redesign its rate development program, but this redesign is not specific to civil rights claims.

10. To the extent there is cost-sharing for civil rights lawsuits, how is the allocation determined between the governmental entity and you or your insurer?

Cost-sharing is determined by the deductibles and limitations located in the liability policy and the liability declarations page(s) sent to inquiring insureds.

11. Describe any preventative measures you have taken to with your insureds to prevent future civil rights litigation.

The League has historically housed an aggressive loss control and accreditation program to bring educational resources to the steps of our insureds. While spanning a fairly wide range of subject matter, those that we've found that several of our programmatic offerings have

been useful, particularly to the law enforcement community. We're also exploring new programs that meet the modernity needs of ever-changing law and best industry practice.