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DECOLATOR, COHEN & DiPRISCO, LLP

1399 Franklin Avenue, Suite 300
Garden City, New York 11530

1-800-901-1LAW

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POLICE OFFICER'S RIGHT TO SUE 2023 NEWSLETTER

DETECTIVE RECEIVES \$3 MILLION DOLLAR SETTLEMENT FROM A PRIVATE BUILDING OWNER AFTER SLIPPING ON MARBLE STAIRCASE

While leaving the scene of a missing person call at an apartment building in Manhattan, a New York City Police Detective slipped on an interior marble staircase and became seriously injured. The staircase was poorly lit and only had one banister. The Detective's foot slid on the first step down from the landing, causing him to fall backwards and tumble down the entire flight of stairs. He immediately felt pain to his neck, back, knee, elbow and shoulder. He underwent five surgeries following the accident, including four knee surgeries and one hip arthroscopy. He was awarded a ¼ line-of-duty disability pension. The Detective contacted and retained DCD. DCD sued the apartment building owner pursuant to GML §205-e claiming the building owner violated New York City Administrative Code §§27-1020, 27-1021, 27-1023(a)(b) and 28-301.1. After completing discovery, the building owner filed a motion to have the case dismissed on summary judgment, arguing liability could not be imposed as a matter of law because the defendant did not have requisite notice of the slippery condition that caused the Detective's accident and was not in violation of any predicate statutes. DCD retained an architect expert witness who examined the subject stairway and opined that the defendant indeed violated certain building code provisions by its failure to adequately maintain the stair treads. DCD included a written report by the architect to defeat the defendant's motion. Dominic DiPrisco settled the case at mediation for \$3 million dollars.

SERGEANT STRUCK IN HEAD BY BRANCH OF DECAYING TREE RECEIVES \$1.8 MILLION DOLLAR SETTLEMENT FROM THE CITY OF NEW YORK

An NYPD Sergeant became severely injured when he was struck by the branch of a rotting, dying tree. The tree had been planted in the sidewalk in front of a house in Brooklyn, but fell, and was blocking the roadway, requiring ESU's assistance with removal. As DCD's client was making a relief cut in the trunk, the tree catapulted upward and then back down, striking him in the face. The Sergeant suffered a skull fracture with hemorrhaging, traumatic brain injury, hearing loss and scarring. DCD filed suit against the homeowners of the premises abutting the sidewalk as well as the City of New York pursuant to GML §205-e claiming violations of New York City Charter §2903(b)(2), New York City Administrative Code §§18-104 and 18-105, Labor Law §27-a(3) and General Obligations Law §11-106. At depositions, DCD elicited testimony from the homeowners concerning prior complaints they made to the City of New York regarding dead and/or hanging branches. DCD also retained an expert arborist who determined that the tree was decayed for a long time prior to the plaintiff's accident, and, therefore, the defendants should have taken remedial action. DCD's client was awarded a ¼ line-of-duty disability pension. The defendants filed summary judgment motions seeking to have the case dismissed before trial. Dominic DiPrisco settled the case for \$1,800,000 at a pre-trial settlement conference.

SNOW/ICE

SERGEANT RECEIVES A \$950,000 SETTLEMENT FROM A PRIVATE BUILDING OWNER AFTER SLIPPING ON PARKING GARAGE RAMP DURING SNOWSTORM

A Sergeant received a settlement of \$950,000 from a private building owner after slipping on a parking garage ramp while walking to his assignment. The Sergeant lost his footing and fell, resulting in injuries to his right arm, left wrist and head. He eventually underwent four surgeries: two for his right hand, one for his right shoulder and one to a cranial nerve. The Sergeant initially hired another law firm and a Notice of Claim was not filed against the City of New York within the 90-day statutory time limit. The Sergeant contacted DCD approximately seven months after the accident occurred and DCD attempted to correct this deficiency. The Court would not permit a late Notice of Claim at this juncture; and, therefore, DCD could not file suit against the City of New York. However, DCD still pursued relief against the building owner and property manager pursuant to §205-e of the General Municipal Law. DCD alleged that, given the dim lighting conditions and an air draft entering from beneath the nearby roll-down garage door, the defendants violated General Obligations Law §11-106, Labor Law §27-a(3) and New York City Administrative Code §28-301.1. DCD also had the Court seal this matter from public view in order to protect the confidential nature of this Sergeant's assignment. After lengthy discovery, the defendants filed motions seeking to preclude the plaintiff from offering evidence at trial and to have the case dismissed via a summary judgment. DCD successfully opposed both motions. Dominic DiPrisco settled the case at a pre-trial conference for \$950,000.

OFFICER RECEIVES A SETTLEMENT OF \$750,000 AFTER FALLING ON SNOW AND ICE IN BROOKLYN PRECINCT PARKING LOT

A New York City Police Officer assigned to a Brooklyn command was caused to become seriously injured when he slipped and fell on a patch of ice in the precinct parking lot. The lot had not been shoveled or plowed despite the fact it had snowed the day before his accident. The Officer suffered a right shoulder labral tear. He underwent a diagnostic arthroscopy, followed by a Bankart repair surgery with four anchors. The Officer was unable to return to his full duty responsibilities and was subsequently awarded a ¾ line-of-duty disability pension. DCD filed suit against the City of New York pursuant to GML §205-e alleging violations of General Obligations Law §11-106 and Labor Law §27-a(3). While discovery was ongoing, Dominic DiPrisco settled the matter for \$750,000 at a settlement conference.

OFFICER RECEIVES A \$700,000 SETTLEMENT FROM THE CITY OF NEW YORK AFTER SLIPPING AND FALLING ON SNOW/ICE IN PRECINCT PARKING LOT

An Officer received a settlement of \$700,000 from the City of New York when she became injured after slipping and falling on snow/ice in the parking lot of a Brooklyn precinct. The parking lot had not been plowed despite the fact that it had snowed several days earlier. The Officer suffered trauma to her lower back and a torn ligament in her left ankle. The Officer ultimately underwent ankle surgery three times over the next five years and was awarded a ¾ line-of-duty disability pension. She retained DCD and a Notice of Claim was promptly filed. DCD brought suit against the City of New York pursuant to GML §205-e, alleging violations of New York City Administrative Code §§28-301.1 and 27-479, Labor Law §27-a(3) and New York City Health Code §153.19. Dominic DiPrisco negotiated the settlement of \$700,000 during a series of pre-trial settlement conferences with the City of New York.

OFFICER INJURED DURING SLIP AND FALL ON WET/ICY STAIRWELL AT MEDICAL DISTRICT PARKING GARAGE RECEIVES \$250,000 SETTLEMENT

An off-duty New York City Police Officer received a \$250,000 settlement from the owner of a parking garage. On a snowy winter morning, the Officer was reporting to the nearby Medical District for an unrelated injury when he was caused to slip and fall on a wet and icy condition that had accumulated in the parking garage stairwell. He suffered cervical spine disc bulges and herniations, resulting in severe radiculopathy. During the next three years, he received over thirty injections and underwent four minimally invasive surgical procedures to treat his symptoms. DCD brought suit against the parking garage owner claiming general negligence. Marion Livermore settled the case at mediation for \$250,000.

KNOWN CRIMINAL ACTIVITY INSIDE BUILDING

DETECTIVE INJURED DURING APPREHENSION OF BUY AND BUST SUSPECT RECEIVES \$500,000 SETTLEMENT FROM PRIVATE LANDLORD

While taking down a suspect in a buy and bust operation in upper Manhattan, a New York City Police Detective fractured two fingers in his dominant hand. Although the positive buy occurred on a public sidewalk, the suspect fled into the lobby of a nearby private apartment building that was known for drug trafficking. The Detective underwent extensive physical therapy and wore a splint for several months following the incident. He was unable to return to full duty and subsequently awarded a ¾ line of duty disability pension. DCD sued the building owner pursuant to GML §205-e, claiming a violation of Real Property Law §231 in that the building owner should be held jointly liable for knowingly permitting persistent criminal activity to occur on its premises. Marion Livermore settled the case for \$500,000 at mediation.

BARRIERS

OFFICER THAT SLIPPED ON IMPROPERLY STACKED WOODEN BARRIERS IN TRUCK CAB RECEIVES \$250,000 SETTLEMENT FROM THE CITY OF NEW YORK

A New York City Police Officer assigned to Barrier Detail was standing on top of stacked wooden barriers in the cab of a truck and holding onto the truck with her left arm when the barriers slipped, causing her to fall and feel a "pop" in her left shoulder. The Officer suffered a left shoulder labrum tear. She underwent arthroscopic surgery, followed by a subsequent surgery to relocate the bicep tendon. DCD filed a Notice of Claim within the 90-day time limit. DCD sued the City of New York pursuant to GML §205-e, alleging the City violated New York City General Obligations Law §11-106 and Labor Law §27-a(3). Dominic DiPrisco settled the matter for \$250,000 at a pre-trial settlement conference.

MOTOR VEHICLE ACCIDENTS

OFFICER RECEIVES \$500,000 SETTLEMENT FROM CITY OF NEW YORK AND PRIVATE CIVILIAN MOTORIST FOR FOOT INJURIES CAUSED IN RMP ACCIDENT

A New York City Police Officer became seriously injured when the RMP he was operating collided with a private motorist in Queens County. The Officer suffered fractures in his right foot requiring open reduction internal fixation surgery and subsequent removal of hardware. He was awarded a ¾ line-of-duty disability pension. DCD filed a Notice of Claim and brought suit against the City and private motorist. DCD obtained records from the RMP's Event Data Recorder in discovery to show that the collision was caused in part due to a defective engine and traction control in the Officer's RMP. DCD recovered \$250,000 each from the City of New York and the private motorist's insurance carrier for a total settlement of \$500,000.

DCD SETTLES CASE AGAINST TOW TRUCK OPERATOR FOR \$400,000 AFTER INSPECTOR SUSTAINED NECK INJURIES IN A LINE-OF-DUTY AUTO ACCIDENT

An Inspector for the New York City Police Department received a settlement of \$400,000 from the owner/operator of a tow truck. The Inspector was operating his assigned vehicle to a department facility when he was suddenly and unexpectedly cut off by a heavy-duty tow truck, causing his vehicle to collide with the tow truck. The Inspector sustained a serious injury to his cervical spine. He received physical therapy, epidural steroid injections and was recommended, but did not undergo cervical spinal fusion surgery. The Inspector was subsequently awarded a ¾ line-of-duty disability pension. DCD sued the tow truck driver and owner pursuant to GML §205-e and common law negligence alleging the operator violated Vehicle and Traffic Law §§1129(a), 1180(a), 1212 and 375(1). Dominic DiPrisco settled the case for \$400,000.

LIEUTENANT REAR ENDED ON BELT PARKWAY RECEIVES \$140,000 FOR NECK, BACK AND SHOULDER INJURIES

An off-duty Lieutenant received a settlement of \$140,000 from a private civilian for injuries sustained in a three-car collision. The Lieutenant was travelling westbound on the Belt Parkway near Farmers Boulevard and stopped in traffic when the defendant struck another motorist from behind, pushing that motorist's vehicle into the rear of the Lieutenant's personal vehicle. The Lieutenant suffered cervical and lumbar spine bulges and

herniations, as well as a torn labrum requiring surgery. DCD sued the defendant for negligent operation of his motor vehicle. DCD settled the case for \$140,000.

PRECINCT

SERGEANT MOVING HEAVY DESK AT COMMAND SUFFERS KNEE AND SHOULDER INJURIES AND RECEIVES \$750,000 SETTLEMENT

A Sergeant for the New York City Police Department became seriously injured while carrying a 300-400 pound desk with three colleagues upstairs to his command's arrest processing office. The Sergeant's slip and fall down twelve steps was caused by poor lighting and the slippery condition of the stairwell, as well as the extraordinary weight of the desk. He suffered injuries to his neck, back, right knee and right shoulder and eventually underwent surgery to both his right knee and right shoulder. DCD sued the City of New York pursuant to GML §205-e, alleging the City violated New York City Labor Law §27-a(3) and New York City Administrative Code §§28-301.1 and 27-2039(b). DCD retained an expert witness who inspected the stairwell and opined the steps were defective. The City of New York hired their own architecture expert, who concurred with our expert's report. In awarding him a ¾ line-of-duty disability pension, the Pension Board changed their classification from "incident" to an "accident" based on our expert's report. Dominic DiPrisco settled the matter for \$750,000.

OFFICER RECEIVES \$500,000 SETTLEMENT AFTER FALLING ON COMMAND STEPS WHILE TRANSPORTING PERP

A New York City Police Officer assigned to a Staten Island command became injured while walking a perpetrator down the front vestibule steps of the precinct. The Officer tripped and fell due to poor lighting conditions and the City's failure to equip the steps with a handrail. The Officer suffered injuries to her left foot, neck and back. She underwent physical therapy, injections, and ultimately a cervical spine fusion surgery. However, she did have several previous line-of-duty injuries to the same body parts injured in this incident. DCD filed suit against the City of New York pursuant to GML §205-e, alleging the City violated New York City Labor Law §27-a(3) and New York City Administrative Code §28-301.1. Dominic DiPrisco negotiated a settlement of \$500,000.

OFFICER RECEIVES A \$225,000 SETTLEMENT FROM THE CITY OF NEW YORK AFTER SLIPPING AND FALLING IN LOCKER ROOM WITH ONGOING FLOODING ISSUES

DCD's client, a New York City Police Officer assigned to a Manhattan command, was entering the female locker room when she encountered a large puddle of water. The Officer slipped and fell as she attempted to step over the puddle to get to her locker, causing her right knee to twist and strike the floor. The Officer underwent right knee ACL reconstruction surgery and was left with a 4-6 inch surgical scar. DCD's investigation revealed there was an ongoing flooding issue, as documented by one dozen work orders from the Department of Buildings and Maintenance. DCD filed a Notice of Claim and then brought suit pursuant to General Municipal Law §205-e claiming violations of Labor Law §27-a(3), New York City Administrative Code §§28-301.1 and 27-369 and General Obligations Law §11-106. Marion Livermore settled the case prior to depositions at a blockbuster conference for \$225,000.

VERTICALS

OFFICER RECEIVES \$750,000 SETTLEMENT FROM BUILDING OWNER AFTER SLIPPING ON WET AND POORLY LIT STAIRCASE

A New York City Police Officer was seriously injured when she slipped on a wet and poorly lit staircase, fracturing her tibia and fibula. The Officer underwent three leg surgeries to treat her injury, including open reduction and internal fixation of the fractures, a procedure to treat compartment syndrome and removal of hardware. Subsequently, the Officer was awarded a ¾ line-of-duty disability pension. After the incident, the Officer called DCD. DCD hired an expert who inspected the location and concluded that the defendant failed to maintain the subject stair treads in a safe condition, provide adequate lighting and perform adequate cleaning. DCD sued the building owner pursuant to GML §205-e alleging violations of §§78, 37 and 52 of the Multiple Dwelling Law and §28-301.1 of the New York City Administrative Code. The building owner sought to have the case dismissed via a summary judgment motion, which DCD successfully opposed. The building owner then appealed the Court's decision. While the appeal was pending, Dominic DiPrisco settled this matter for \$750,000.

PREMISES

OFFICER RECEIVES \$1.75 MILLION DOLLAR SETTLEMENT FROM A PRIVATE BUILDING OWNER AFTER TRIPPING DUE TO UNEVEN STAIRWAY

An Officer employed by the New York City Police Department received a settlement of \$1,750,000 for injuries she sustained while escorting an emotionally disturbed person down a common-area stairway in a private building. While walking down the stairs, she tripped and fell on an uneven step, tumbling approximately three to four steps and twisting her knee. The Officer landed on her right side, suffering a meniscal tear, elbow fracture as well as neck and back injuries. The Officer underwent two surgeries: a right knee arthroscopy and cervical spine laminectomy with insertion of a spinal cord stimulator, which subsequently moved out of place and had to be fixed in another procedure. The Officer retained DCD. To help build the case, DCD retained an architect to inspect the staircase and prepare an expert report concerning the defendant's building code violations. The architect's report was also used to persuade the Pension Board that this was an "accident" and not an "incident" in deciding to award her a ¾ line-of-duty disability pension. DCD sued the building owner pursuant to GML §205-e claiming the building owner violated New York City Administrative Code §§28-301.1, 23-375(f)(g)(h) and 27-376. Before the trial, DCD negotiated a settlement of the case for \$1,750,000.

NYC FIREFIGHTER INJURED BY SLIP AND FALL AT CAR WASH CAUSED BY ARSONIST RECEIVES \$450,000

A New York City Firefighter assigned to a Staten Island firehouse suffered a knee injury when responding to a major fire caused by a car wash employee who committed arson. DCD's client entered the rear of the facility where cars get sprayed and fell on a slippery substance. He suffered a meniscal tear to the right knee requiring arthroscopic surgery. He was unable to return to the job and awarded a ¾ line-of-duty disability pension. DCD brought suit against the car wash owners and tenants pursuant to General Municipal Law §205-a alleging violations of New York City Administrative Code §§28-301.1, 7-210(a)(b), 27-954(d) and 27-954(f)(g). The defendants' lawyer argued they were exempt from sprinkler statutory requirements and otherwise not responsible for the criminal acts of the employee. Marion Livermore settled the case for \$450,000 at mediation.

OFFICER RECEIVES \$720,000 SETTLEMENT FROM PRIVATE APARTMENT BUILDING OWNER AFTER SLIPPING ON STAIRCASE

A New York City Police Officer injured his right knee when he slipped on stairs in a private apartment building in Manhattan. The Officer suffered a ruptured quadriceps and had to undergo surgery to repair same. DCD retained an expert architect to inspect the stairway and prepare a written report opining the steps were defective. The Officer was awarded a ¾ line-of-duty disability pension. DCD sued the building owner pursuant to GML §205-e claiming the building owner violated §§28-301.1 of the New York City Administrative Code and §§37, 78 and 52 of the Multiple Dwelling Law. DCD negotiated a settlement of the case for \$720,000.

OFFICER INJURED WHILE APPREHENDING PERPETRATOR TRESPASSING ON ROOFTOP RECEIVES \$100,000 SETTLEMENT FROM BUILDING OWNER

A New York City Police Officer received a \$100,000 settlement from a building owner for injuries he sustained while apprehending a perpetrator who was trespassing on the rooftop of the building. The Officer suffered a fractured non-dominant pinky finger and underwent multiple surgeries. He eventually returned to full duty. The Officer retained DCD nearly five months after the incident occurred, which was well beyond applicable the 90-day Notice of Claim period. DCD filed a motion with the Court seeking permission to file an untimely Notice of Claim and won, thereby allowing the Officer to bring suit. DCD then filed suit pursuant to GML §205-e, alleging violations of §11-106 of the General Obligations Law; §78 of the Multiple Dwelling Law and §28-301.1 of the New York City Administrative Code. DCD argued that there was a reasonable and practical connection between the Officer's injury and the building owner's failure to maintain operable rooftop doors and alarms, even though it was the perpetrator that directly caused the Officer's injury. The matter settled at a pre-trial conference for \$100,000.

SIDEWALK

DETECTIVE APPREHENDING FLEEING PERP TRIPS ON MANHATTAN SIDEWALK AND RECEIVES \$350,000 FROM BUILDING OWNER

While apprehending a fleeing perpetrator, a New York City Police Detective tripped and fell on a sidewalk in front of a premises in Manhattan. The Detective suffered a SLAP tear to his right shoulder and underwent arthroscopic surgery. He was awarded a ¾ line-of-duty disability pension. DCD sued the building owner pursuant to GML §205-e claiming the building owner violated §7-210(a)(b) of the New York City Administrative Code. DCD retained an expert to inspect the sidewalk who determined there was a minimal defect. The case settled at mediation for \$350,000.

FAMILY/CIVILIANS

DCD CLIENT RECEIVES A \$595,000 SETTLEMENT AFTER FALLING ON SNOW DURING SNOWSTORM IN PRIVATE APARTMENT COMPLEX PARKING LOT

A DCD client slipped and fell on an accumulation of snow and ice in the parking lot of her apartment complex, suffering a fractured wrist. The client underwent a closed reduction and percutaneous pinning surgery, followed by removal of said pins approximately six weeks later. Months later, the client began experiencing neck and back pain which she attributed to this accident. She eventually underwent a cervical spine discectomy and fusion surgery. DCD filed suit against the apartment complex, its property manager and a landscaping company contracted to perform snow removal services. The defendants filed a motion attempting to have the case dismissed on summary judgment, arguing protection from liability based upon the “storm in progress defense.” Generally, defendants are shielded from liability for a certain period of time during and after a snowstorm. However, DCD had elicited testimony from one of the defendants’ witnesses that on the morning of our client’s fall, the superintendent had shoveled the area where her accident occurred. DCD prevailed against the defendants’ motion by arguing the superintendent exacerbated the dangerous condition. In addition, DCD worked with our client’s treating physicians to help establish a causal connection between the fall and her neck injuries despite a delay in seeking treatment. Dominic DiPrisco settled the case at mediation for \$595,000.

NYC POLICE OFFICER’S SON RECEIVES \$350,000 FOR INJURIES CAUSED IN AUTO COLLISION ON LONG ISLAND

The relative of a New York City Police Officer was seriously injured when his vehicle was struck at a moderate rate of speed at an intersection on Long Island. DCD’s client, a male in his late twenties at the time of the accident, suffered injuries to his lower back requiring laminectomy and microdiscectomy surgery. DCD sued the defendant motorist vehicle, which was covered by a commercial automobile insurance policy. On the eve of jury selection, DCD recovered \$350,000.

DCD CLIENT OPERATING CITI BIKE STRUCK BY CAR RECEIVES \$1.25 MILLION SETTLEMENT ON THE EVE OF TRIAL

A civilian, a male in his 50’s who worked as a union electrician, was riding a Citi Bike in a Manhattan bus lane when he was struck by a Mercedes Benz sedan. He was knocked to the ground and suffered fractures to his left hand and ribs, as well as tearing to his left shoulder. He underwent two surgeries to his injured hand and an arthroscopic surgery for his shoulder injury. DCD filed suit against the operator and owner of the Mercedes Benz, which was insured by a commercial automobile insurance policy. DCD retained an expert economist to opine on the client’s lost income due to the accident. DCD litigated the case and, on the eve of trial, Dominic DiPrisco settled the matter for \$1,250,000.

DCD CLIENT RECEIVES A \$200,000 SETTLEMENT AFTER FALLING ON SNOW DURING SNOWSTORM IN WORK PARKING LOT

A DCD client slipped and fell in the parking lot of her employer in Suffolk County during a snowstorm, suffering a serious fracture to her left ankle which required two surgeries. DCD brought suit against the property owner, property manager and a snow removal contractor, asserting common law negligence claims. The defendants moved for summary judgment dismissing the action based on the “storm in progress” defense. Although this defense generally protects defendants from liability for any accidents that occur during or shortly

after a snowstorm, DCD successfully opposed the motion, citing evidence obtained in discovery to show that the defendant exacerbated a natural hazard in its undertaking to clear the snow before the storm had ceased. The snow removal contractor then appealed the Supreme Court’s decision denying summary judgment for the defendants. While the appeal was pending, Dominic DiPrisco settled the matter for \$200,000.

SUPPLEMENTARY UNINSURED/UNDERINSURED MOTORIST COVERAGE

OFFICER PINNED BETWEEN TWO VEHICLES BY FLEEING SUSPECT RECEIVES SUSPECT’S ENTIRE \$100,000 INSURANCE POLICY AND THEN AWARDED AN ADDITIONAL \$100,000 AT ARBITRATION

While attempting to apprehend a suspect, an Officer employed by the Nassau County Police Department was struck by the suspect’s motor vehicle and pinned between two cars. The Officer suffered crushing trauma to both legs, including a fractured fibula, meniscal tearing, compartment syndrome, blood clots and permanent disfigurement. Remarkably, this Officer returned to full duty within six months of this accident. The defendant’s vehicle only had \$100,000 in liability coverage. The Officer had \$250,000 supplementary uninsured/underinsured motorist coverage. DCD collected the defendant’s policy of \$100,000 and then filed an arbitration notice to collect the additional coverage available under the Officer’s personal automobile policy. The Officer’s insurance company vigorously defended their interests. The attorneys for the insurance company argued that the Officer had prior leg issues and recovered quickly from this incident. These issues were heavily litigated when DCD took the case to arbitration. The arbitrator awarded the Officer an additional \$100,000.

OFF-DUTY OFFICER INJURED IN MOTOR VEHICLE ACCIDENT RECEIVES \$265,000 FOR PAIN, SUFFERING AND LOST VACATION TIME

An off-duty Suffolk County Police Officer was involved in a motor vehicle accident on the Northern State Parkway. The defendant came from behind and was travelling at an extremely high rate of speed when he sideswiped the Officer’s personal vehicle, causing the Officer to veer off the road into an embankment. The Officer suffered a right shoulder rotator cuff tear requiring arthroscopic surgery. DCD filed suit against the defendant motor vehicle and recovered the defendant’s full policy limits of \$100,000. DCD first obtained permission from the Officer’s own automobile insurance carrier to pursue his SUM coverage. Although this was not a line-of-duty injury, the Officer did use a significant portion of his vacation time during his recovery. DCD obtained documentation from the SCPD to show the economic value of the lost vacation time as part of the Officer’s claim for damages at arbitration. The arbitrator awarded this Officer an additional \$165,000, for a total resolution of \$265,000.

DCD cannot overstate the importance for members of the service to avail themselves of additional monetary protection by taking out maximum SUM coverage. The SUM coverage for Police Officers’ personal automobile insurance covers line-of-duty accidents. Many motorists in New York State possess the minimum statutory policy limits thereby affording little protection to members of the service who are injured as a result of the negligence of these uninsured/underinsured individuals. Members of the service can acquire additional protection by informing their insurance companies that they want to increase the SUM coverage to match the liability portion of their personal automobile insurance. The increases in rates are nominal and the insurance rates do not increase if a claim is made under SUM coverage.