

RESOLUTION NO 26-_____ It was *moved* by Commissioner _____ and duly seconded by Commissioner _____ to adopt the following Resolution:

WHEREAS, Arapahoe County is generally obligated under the terms of the Colorado Peace Officers Act to bear the costs of the defense of its law enforcement officials and employees incurred in lawsuits brought against them for injuries they are alleged to have caused within the course and scope of their employment, and indemnify them with respect to money judgments and settlements that might result from such suits so long as their conduct was not willful or wanton; and

WHEREAS, Arapahoe County is also responsible for fully indemnifying its officers pursuant to C.R.S. § 13-21-131(4) for alleged violations of the state constitution so long as its officers were acting in good faith and with a reasonable belief that their actions were lawful; and

WHEREAS it is common for plaintiffs, without a factual basis to do so, to allege that government officials and employees acted outside the scope and course of their employment, or acted willfully and wantonly, or in bad faith; and

WHEREAS, a lawsuit titled *Natalie Cadona v. Michael Magee*; Civil No. 2026CV30103, was recently commenced in Arapahoe County District Court against an Arapahoe County Sheriff deputy for conduct undertaken by him during the course and scope of his official duties and employment; and

WHEREAS, it appears from the information presently available that the claim(s) asserted against the deputy did not arise from wanton or willful conduct and that the actions of the deputy were taken in good faith with a reasonable belief that his actions were lawful; and

WHEREAS, the Board hereby determines that it is in the public interest for Arapahoe County to bear the cost of defending the individual deputy named in the above-noted suit and to pay or settle such claims on his behalf, subject to the terms and conditions contained in the Colorado Peace Officer Act and C.R.S. § 13-21-131(4).

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for the County of Arapahoe, State of Colorado, that the cost of providing a legal defense for Arapahoe County Sheriff Deputy Michael Magee in the matter of *Natalie Cadona v. Michael Magee*; Civil No. 2026CV30103, pending in the Arapahoe County District Court, shall be borne by Arapahoe County and that such representation shall be provided by the Arapahoe County Attorney's Office.

BE IT FUTHER RESOLVED that Arapahoe County finds that Deputy Michael Magee was acting in good faith and with a reasonable belief that his actions were lawful.

BE IT FURTHER RESOLVED that Arapahoe County shall, subject to the terms, conditions, and limitations contained in the Colorado Peace Officers Act and C.R.S. § 13-21-131(4), indemnify Deputy Michael Magee from any judgment, inclusive of punitive damages, or a settlement that may enter against him in the above-noted litigation, and that the claims asserted against him may be compromised, settled, and disposed of by Arapahoe County as it may deem appropriate, necessary, or convenient.

The vote was: Commissioner Baker, ____; Commissioner Campbell, ____; Commissioner Fields, ____; Commissioner Summey, ____; and Commissioner Warren-Gully, ____.

The Chair declared the resolution adopted and so ordered.