



Board Summary Report

File #: 26-150

Agenda Date: 3/31/2026

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To: Board of County Commissioners

Through: Ron Carl, County Attorney

Prepared By:
Writer Mott, Deputy County Attorney

Subject:
Approval of a resolution authorizing legal representation and indemnification in litigation filed against an employee of the Arapahoe County Sheriff's Office.

Purpose and Request:

A civil rights lawsuit Natalie Cadona v. Michael Magee; Civil No. 2026CV30103 commenced on January 15, 2026, in the Arapahoe County District Court against one deputy from the Arapahoe County Sheriff's Office, arising from Ms. Cadona's arrest on October 23, 2025. This memo and the accompanying resolution seek the Board's formal authorization to provide legal defense services and indemnification coverage for the ACSO personnel who has been named in the suit.

Alignment with Strategic Plan: Good Governance - Deliver mandated and essential services with excellence.

Background and Discussion: Under the provisions of the Colorado Peace Officers Act, a county is obligated to bear the costs of providing a legal defense for its law enforcement officers when they are sued for acts or omissions allegedly committed by them while performing their jobs. The county is further obligated to indemnify its officers for any judgments or settlements for alleged violations of the Colorado state constitution as long as the County determines its peace officers were acting in good faith and with a reasonable belief that their actions were lawful. If the County was to determine that a peace officer acted in bad faith and without a reasonable basis that his or her actions were lawful, the peace officer would be personally responsible for 5% of any judgment or \$25,000, whichever is the lesser amount, unless the peace officer is unable to pay in which case the County remains responsible for the full judgment. The County does not have to indemnify a peace officer if the peace officer is convicted of a criminal violation for the conduct from which the claim arises. After reviewing the facts and information currently available, and despite certain allegations made by plaintiff in the complaint filed with the court, the County Attorney's Office has determined that the conduct of the individual deputy named in the lawsuit was not undertaken wantonly or willfully, or with any intent to violate the plaintiff's rights and that the individual deputy was acting in good faith based on a reasonable belief that his actions were lawful. It is also apparent that all of the conduct challenged by plaintiff was taken by the deputy within the scope of his job duties. Accordingly, Deputy Michael Magee qualifies for both legal defense and indemnification protection at the County's expense under the terms and limitations of the Peace Officers Act and with respect to the state law constitutional claims.

Alternatives: Employ outside legal counsel for the defendant employee.

Fiscal Impact: N/A

Alignment with Strategic Implementation Strategies: N/A

Concurrence: The County Attorney has endorsed the proposed representation.