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The Impact of Wrongful Death Lawsuits on Police Officers

Richard Kevin Powers
Walden University

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Walden University

College of Psychology and Community Services

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Richard Kevin Powers

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Walden University
2022

Abstract

The Impact of Wrongful Death Lawsuits on Police Officers

by

Richard Kevin Powers

MA, Columbia College, 2019

BA, Columbia College, 2017

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Criminal Justice

Walden University

August 2022

Abstract

Law enforcement has become known as one of the most stressful occupations. Stress can have negative impacts on police officers' professional careers and their personal life. This qualitative research revealed the unseen pressure of wrongful death lawsuits involving police officers, especially those cleared of any criminal wrongdoings. The study explored the police officers' perceptions while gaining knowledge from their lived experiences of how wrongful death lawsuits impacted them professionally and personally. This qualitative study was guided by the person-in-environment theory, which means that the environment can affect the police officer. In return, the police officer can affect the environment. The methodology used was a qualitative research approach to obtain data from 10 participants from different police departments throughout South Carolina. The data were collected through in-person interviews consisting of 13 interview questions. Participants had to be current or retired police officers who had personally been involved in a wrongful death lawsuit. Each participant had to be justified in their actions that led to the civil case. Data were analyzed by using NVivo 12 qualitative data analysis software. Three major themes emerged, revealing that wrongful death lawsuits negatively impacted police officers professionally and personally. Results also showed the lack of support from police organizations and the lack of confidence in the legal system of civil liability. It is essential to improve police officers' overall well-being for positive social change. The results could have a positive impact on police and community relations.

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Dedication

First and foremost, I would like to give all the praise and honor to God, who has taken my life and directed me on a path of success and showed me that life is full of adversity and that overcoming such difficult times is rewarding. I dedicate this dissertation to my loving, beautiful wife, Gina Powers, the one person who gave me the motivation and support I needed during the entire educational journey. Thank you for loving me unconditionally, trusting me, and being my biggest fan. Every day with you is truly a blessing; I love you.

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Chapter 1: Introduction to the Study

Introduction

The study focused on the impact wrongful death lawsuits have on police officers as a job-related stressor. Civil lawsuits and civil liability have been a concern for police officers' professional lives and personal lives and can impact their respective police department's daily operations. For example, a police officer involved in a wrongful death lawsuit is typically on administrative leave or duty, which leaves the patrol division lacking manpower on the community streets. According to Hall et al. (2003), civil lawsuits against police officers have recently increased, and the results showed a concerning decrease in their duties' performance. The concerning issues of civil litigations and civil liability have made their way into police officers' personal lives by carrying their work-related stress home to their families, which has devastating impacts (Sayed et al., 2019; Tuttle et al., 2018; Waters & Ussery, 2007). Hall et al. labeled this stressor and fear of civil liability as "litigaphobia."

I developed this qualitative research to gain a more in-depth understanding of how civil lawsuits impact police officers professionally and personally. The reasoning for focusing on civil litigation of wrongful death lawsuits was due to the severity of someone losing their life and being civilly liable by doing what they were trained and swore to do as a police officer, which is to protect and serve even if it means someone losing their life for justifiable reasons. This study's results could create an opportunity for social change by giving readers an in-depth look into the stress police officers endure being civilly liable in a wrongful death lawsuit. Additionally, it may improve the way law enforcement

organizations assist officers who are going through civil litigation, by giving them the resources they need during a stressful event.

In this chapter, I discuss the study's introduction and the background to the problem to better understand the impact of wrongful death lawsuits on police officers. The chapter also provides the study's purpose, the research questions to support the study, and its nature. Next, this chapter addresses such topics as study assumptions, potential limitations, the study's implications, and its significance. This chapter concludes with a summary of the entire chapter's contents.

Problem Statement

Police officers regularly endure critical situations, and law enforcement is considered one of the most stressful occupations (Sayed et al., 2019). Stressful factors are copious in law enforcement, which can have a lasting negative impact on officers' psychosocial well-being and physical health (Maran et al., 2015). Wrongful death lawsuits against police officers can traumatize a police officer's professional career and personal life. According to Louw (2014), adverse effects can lead to physical and mental problems in their professional career, which in return can lead to burnout, sickness, and early retirement. Gutshall et al. (2017) stated that such negative, stressful factors among police officers could alter their cognitive behavior, personally and professionally. Negative stress factors are known to impact a police officer's personal life, including their relationship with their significant other (Tuttle et al., 2018).

Law enforcement officers experience dangerous and traumatic situations within the profession, such as struggling with a resisting suspect, officer-involved shooting,

child victims, homicide victims, fatal vehicle accidents, and loss of a partner in the line of duty. News outlets (e.g., CNN, MSNBC, Fox News, etc.) use social media platforms (e.g., Facebook, Twitter, Snapchat, YouTube) to inform society of the traumatic experiences officers endure on an everyday occurrence. According to Dekker et al. (2020), social media has allowed a broader avenue of communication between the public and public organizations, such as law enforcement. There is plenty of research on stressful and critical incidents involving police officers, such as officer-involved shootings, assault on police officers, children as victims, and death of officers (Clifton et al., 2018; MacEachern et al., 2011; Tiesman et al., 2018). The problem is the void in research that pertains to stressful situations police officers are subject to that are undisclosed to society, such as civil litigations. Such a phenomenon has become increasingly concerning in the criminal justice field, especially with the well-being of police officers who are involved. According to Hall et al. (2003), increased public knowledge and police officers' negligence has elevated civil lawsuits against police officers over recent decades.

Knowledge and understanding are absent in wrongful death lawsuits and how such a work-related stressful situation can affect a police officer. There is a need for research to explore the ramifications that wrongful death lawsuits have on police officers and facts based on police officers who experience such civil litigations to determine if wrongful death lawsuits could negatively impact a police officer's overall well-being. Studies have investigated the effects of negative stressors and found that officers' mental health can become incapacitated, which increases the risk of psychological problems

(Van Hasselt et al., 2019). At the same time, other researchers have explored the physiological impact of stressors and found that stressors are associated with cardiovascular disease, chemical dependency, and even post-traumatic stress disorder (PTSD; Waters & Ussery, 2007). The research gap is the nonexistence of research between civil litigations, such as wrongful death lawsuits and how it impacts police officers. To address the gap in research, I explored the impact of wrongful death lawsuits from police officers' perspectives and examined in detail the type of impact it had on them and the outcome of such experiences. It is imperative to understand how wrongful death lawsuits affect police officers' professional and personal aspects of their lives. Officers' physiological and psychosocial well-being can reflect how they interact and serve society. It is essential to make the community aware of such occupational stressors and how it affects police officers. Understanding and identifying stressors can develop a solution to prevent or curve such problematic issues. An officer with improved mental and physical health can benefit their communities and become more positively efficient in their duties.

Purpose of the Study

The purpose of this qualitative study was to better understand how wrongful death lawsuits affect police officers professionally and personally and how such an impact interferes with the performance of their duties. One example is hesitating in making a split-second decision due to fear of repercussion of being named in a lawsuit, which can lead to a dangerous situations with devastating outcomes for police officers. Using a qualitative approach allowed for one-on-one in-depth interviews to collect data from the

perspectives of qualified South Carolina police officers who experience wrongful death lawsuits. In-depth interviews allowed officers to share their knowledge and experiences concerning wrongful death lawsuits.

Research Questions

The research questions (RQs) for the study are as follows:

RQ1: How would wrongful death lawsuits impact a police officer's professional and personal life?

RQ2: What are the police officers' perceptions of wrongful death lawsuits?

RQ3: What can police organizations do to either lessen or eliminate civil litigations' burden on officers involved?

Theoretical Framework

The focus of this study was the impact wrongful death lawsuits has on law enforcement officers. Critical incident stressors can be an everyday occurrence in law enforcement, which is considered one of the most stressful occupations (Sayed et al., 2019). Researchers have discovered that negative stress within the field of law enforcement can have an impact on police officers' psychosocial well-being and physical health (Maran et al., 2015). I used the in-person-environment (PIE) theory for the theoretical framework for this study. The PIE theory was established by Mary Richmond (1917) with the idea that the environment can impact a person's behavior, problems, and issues (Gonzalez, 2017).

According to Karls et al. (1997), the PIE theory is primarily used in the field of social work and human services as an assessment tool to better understand people's

problems, either interpersonal, environmental, mental, and physical, which is influenced by one's environment. There are four factors associated with the PIE theory, including (a) an individual's problem in social functioning, (b) environment that affects one's social functioning, (c) an individual's mental health, and (d) an individual's physical health (Karls et al., 1997). Civil litigation (wrongful death lawsuit) can create an environment that can negatively influence a police officer's social and physical well-being. Each factor of the PIE theory can apply to the field of law enforcement as an assessment tool to better understand how an officer's environment can impact their psychosocial well-being and physical health.

Nature of the Study

Rationale

I used a qualitative method in this research. It involved a phenomenological approach where I gathered data using face-to-face interviews. I focused on how a participant felt and their experiences during an event or activity. The participants included different stakeholders from another point of view. Participants included police officers involved in wrongful death lawsuits exonerated from any wrongdoings, which was supported by court documentation provided by participants.

Methodology

The method used in the collection data process, before data analysis, is a mainstay of qualitative research, which is known as interviews (Ravitch & Carl, 2016). One-on-one in-depth interviews are the primary source of data collection for this particular research. According to Ravitch and Carl (2016), to gain deep, rich, and individualized

data, which are crucial to qualitative research, the interview method is at the forefront of qualitative research. One-on-one in-depth interviews were conducted with police officers throughout the upstate of South Carolina who were subject to wrongful death lawsuits.

A purposeful sampling method supports the research when selecting and identifying participants, especially when obtaining knowledge or lived experiences about a particular phenomenon (Palinkas et al., 2015). The data collection process included a maintained journal for essential notes and summaries, audio and video recordings of interviews for transcribing and coding purposes, and field notes used as a reference guide. The coding process took place according to qualitative research criteria after collecting data resulting from the one-on-one in-depth interviews.

Definition of Terms

The following terms and definitions are fundamental to ensure readers fully understand the context throughout the study:

Civil liability: Civil liability is the conclusion of civil litigation that is considered a legal obligation for the guilty party to pay for damages and any other court order injunction to the victim (Cornell Law School, 2020).

Civil litigation: A legal dispute that involves two or more parties where one side is award money or specific performance instead of criminal sanctions (Harvard Law School, 2021).

Occupational stress: A physiological and psychological reaction to events or conditions located within the workplace that is harmful to one's health and well-being (American Psychological Association, 2020).

Psychological well-being: One's mental health that includes life satisfaction and that feeling of accomplishment (Psychology Research, 2021).

Physiological well-being: The physical well-being that includes physical health, fitness level, and the ability to physically functions during daily activities (Psychology Research, 2021).

Wrongful death lawsuit: Wrongful death is a civil action against a person responsible for another person's death (Cornell Law School, 2021).

Assumptions

There are a couple of assumptions related to this research. First, I expected the police officers (participants) involved in this study to be open, honest, without bias intent within their interview responses. Secondly, I assumed that using one-on-one type interviews with standardized interview questions was the best method to obtain the knowledge and data needed to support the study.

Scope and Delimitations

This study's scope and delimitations are as follows. This study's scope included each RQ with participants (police officers) to determine the personal impact that wrongful death lawsuits had on them. The parameters set for the interview consisted of staying on topic and not venturing into other emotional issues that were irrelevant to the study. This study's delimitations did not include police officers who were not personally involved in wrongful death lawsuits. Also, the study excluded any police officers who were charged criminally in a wrongful death case. The criteria for participants for this

study were police officers (active or retired) personally named in a wrongful death lawsuit but clear from any criminal liability.

Limitations

There are several limitations when conducting research, such as ethical issues, integrity, and unclear expectations. When conducting qualitative research, ethical issues can be challenging due to the researcher's constant personal involvement in different study stages and the participants' intimate relationship (Sanjari et al., 2014). Some of the ethical issues associated with in-dept interviews are psychological trauma due to talking about sensitive matters, breach of confidentiality and privacy, and unintentional bias from the researcher (Unite for Sight, 2015). When it comes to purposeful sampling, such ethical issues could involve confidentiality and anonymity and participants' withdrawal from the study (Ngozwana, 2018). To avoid ethical problems within this study, I implemented consent forms before any interview discussion on participants began. The participants were advised before any questioning that the interview would be confidential, names would be withheld from the documented study, they could withdraw at any time, and that this study was strictly voluntary.

This study's known limitations were that every participant interviewed had a comfort level to discuss their experiences of wrongful death lawsuits integrity and openly. Also, I ensured that every participant understood the expectation from them during the interview process.

Significance of the Study

This qualitative research project is socially significant in explaining the impact wrongful death lawsuits have on police officers. The study results could help police organizations develop policies or practices to eliminate such potential stress factors related to civil litigations. The study also gave police officers who were involved in wrongful death lawsuits a chance to express their experiences and knowledge. Participants included police officers throughout the upstate of South Carolina. Police officers had the opportunity to tell their stories through one-on-one in-depth interviews and make known how detrimental stress has affected them both professionally and personally. According to Sayed et al. (2018), law enforcement is one of the most stressful jobs, and Louw (2014), added that such stress can negatively affect an officer's physical and mental well-being in their professional career.

Summary

In this study, I aimed to better understand the impact that wrongful death lawsuits have on police officers. I incorporated a qualitative research method approach. There have been previous studies on occupational stress and relating it to the field of law enforcement. These research studies have covered areas of interest such as officer-involved shootings, homicide incidents, organizational issues, or other critical incidents officers have experienced in the field. The research gap is in civil litigation of wrongful death lawsuits and how it affects police officers associated with occupational stress. Occupational stress is discussed more in detail in the following chapter of the literature review. Through this study, I intend to bring awareness of another occupational stress

factor that police officers regularly endure and that is beyond their control. Bringing awareness on such a stressful area of the law enforcement occupation and implementation of steps to lessen or eliminate the effects is needed. In the upcoming chapter, readers gain a better understanding of civil litigations and civil liability. Officers are civilly liable for their actions, justified or unjustified, and are subject to the process of civil litigation.

Chapter 2: Literature Review

Introduction

The purpose of this study was to examine the impact that civil litigations, such as wrongful death lawsuits, has on police officers. Civil litigations have become an integral part of the criminal justice system, such as checks and balances to law enforcement. Civil litigations can have various responses to law enforcement actions or lack of activities. Boni (2002) mentioned several examples of actions that can lead to civil litigations against law enforcement officers, administration, and the entire department and governing body. These include wrongful death lawsuits, motor vehicle pursuits, arrest, search and seizure, responses to citizens' complaints or requests for protection, sexual harassment, lack of rendering first aid, training, citizen endangerment, or domestic assaults (Boni, 2002). While several different actions can lead to civil lawsuits against police officers, this study's focus pertained to wrongful death lawsuits and how such litigation leads to occupational stress. The PIE theory can provide insight into how wrongful death lawsuits can impact a police officer, either personally or professionally.

In the literature review, I located no research relating to wrongful death lawsuits and their effects on law enforcement officers. While little research is available on civil litigations, the same is not for occupational stress and its relationship with law enforcement. In this study, I intended to fill the gap in the literature. I begin this chapter with an explanation of the literature search strategy. Second, I examine and discuss PIE theory as the theoretical framework for this study by considering how a person affects their environment or vice versa how the environment affects a person. This study

primarily focused on the environment being wrongful death lawsuits and how it affected law enforcement officers, the person in the PIE theory. Next, I discuss in detail civil litigations, especially wrongful death lawsuits, before discussing current literature on occupational stress relating to first responders. In this chapter's closing, I conclude with a summary and conclusion of the major themes.

Literature Search Strategy

During the literature search, I used several online databases such as Walden University Library's Thoreau search engine, Google search engine, Google Scholar, and JSTOR to identify pertinent literature for this study. While using the Walden University Library, I accessed the following databases: EBSCOhost, SAGE Publication Journals, ProQuest, Criminal Justice Database, Thoreau Multi-Database Search, and SocINDEX. The search terms included the *person-in-environment (PIE) theory, law enforcement/police officer, civil litigation, civil liability, wrongful death lawsuit, occupational stress, physiological well-being, and psychosocial well-being.*

Theoretical Foundation

The theoretical framework for this study was the PIE theory. The PIE theory was first introduced in 1917 by Mary Richmond, known as the mother of social caseworker (Steyaert, 2013). According to Steyaert (2013), Richmond established the foundations of professional social work development and had a particular interest in the causes of poverty and social exclusion and how such factors have influenced individuals and their environment. Richmond's work in developing a systematic method to better understand a person and their territory was considered a breakthrough by giving social work clients a

voice for the first time (Steyaert, 2013). Richmond's approach in determining how an individual can affect the environment or how the environment affects a person is what today's social workers know as PIE theory.

The PIE theory is the concept that the environment can impact a person's behavior, causing problems and issues (Gonzalez, 2017). The PIE theory is considered holistic in nature. According to the University of Calgary (n.d.), holistic is a method of thinking, or a network-like perception of some things that are interconnected only by reference to the whole. The PIE framework helps practitioners organize and develop observations, plan, and intervene strategy (Kondrat, 2017). Four factors within the PIE theory are involved in classifying and describing social functioning problems such as social roles in relationship to others, social environment, mental health, and physical health (The University of Calgary, n.d.).

This study demonstrated the connection with each factor (law enforcement officers and their environment) within the PIE theory. Social roles in relationships with others for this study can be associated with law enforcement officers and their interaction with the public and their respective family members. The social environment for this study was the civil litigation process for wrongful death lawsuits. The setting of courtroom proceedings, depositions, and mediations can represent an accurate depiction of a social environment. This study also demonstrated how mental and physical health can impact law enforcement officers, mostly from stress factors associated with wrongful death lawsuits. Researchers have discovered that negative stress within the field of law

enforcement can have an impact on police officers' psychosocial well-being and physical health (Maran et al., 2015).

Literature Review

Law enforcement is one of the most dangerous and stressful occupations in the profession, where officers are subject to critical and stressful situations daily (Sayed et al., 2019). One aspect of the job that seems undisclosed to society is the civil litigation process that law enforcement officers are subject to, resulting from a course of actions or a series of decisions that can be deemed negligent, according to the plaintiff's perspective. To better understand how much of an impact civil litigation such as wrongful death lawsuits has on law enforcement officers, several areas of interest need exploring.

The topic of civil litigations was an area of interest that set the foundation of this study. *Civil litigation* is the principle of holding possible wrongdoers accountable by providing a forum (lawsuit) that demands answers from the wrongdoers' actions outside of any criminal proceedings (Shapiro, 2020). An example of civil litigation is a *wrongful death lawsuit*, which, according to the Legal Dictionary (2020), is the death of a human being resulting from another person's negligent actions. The next topic of interest is *civil liability*, which is the aftermath or conclusion where a defendant is found liable during civil litigation and is obligated by the courts to pay for damages or adhere to other court-enforcements within the lawsuit (Legal Information Institute, 2020). The final topic of discussion in this literature review is occupational stress. According to Quick and Henderson (2016), various occupational and work demands, incidents, and environmental stressors can initiate a stress response.

Civil Litigations

Civil litigations, also known as civil lawsuits, have become more prominent today with the internet and social media, making them more available to the public. Civil lawsuits are legal proceedings that hold individuals or organizations accountable for negligent acts resulting in the plaintiff (i.e., victim, victim's family member, or estate representative) receiving punitive damages. Punitive damages associated with civil lawsuits can have payouts with sizeable substantial monetary value for claims of a negligent act that have caught media and internet attention. In 2017, the United Supreme Court ruled in favor of the plaintiff, a \$7.5 billion payout, claiming that retailers overpaid credit and debit card fees to VISA and MasterCard (Gillin, 2020). Another high-profile civil lawsuit that made media headlines was the \$5 billion payout from Exxon Valdez due to the Gulf of Mexico oil spill (Gillin, 2020).

There has been an increase of infamous civil lawsuits involving governmental organizations, where this study's focus involved law enforcement agencies. According to Hurley and Januta (2020), several high-profile civil lawsuits involving overly aggressive policing have heightened public awareness. Some of these high-profile lawsuits that caused a media frenzy and became a hot topic on social media included Michael Brown, Tamir Rice, and Stephon Clark (Hurley & Januta, 2020). I mentioned these three specific cases due to such claims' status based on wrongful death accusations, which led these cases to civil litigations. It is important to note that each officer involved in each of these cases did not face criminal charges and was considered justified in their actions.

In modern society, media and social media have increased the awareness of civil litigations. This civil legal system has been around for hundreds of years, with the first documented case in the United States dated back to 1820, known as *West v. Randall*. *West v. Randall* was known as the foundation of American class action jurisprudence (Simpluris Research Team, 2019). In this particular case, United States Supreme Court Justice Joseph Story (1779-1845), who presided over this case, wrote an opinion establishing who could participate in a civil lawsuit (Levin Law, 2020). According to Levin Law (2020), this opinion from Justice Story became a general rule that equity is fundamental in civil cases. However numerous they may be, any person(s) (plaintiff or defendant) materially invested is named parties of the lawsuit (Levin Law, 2020).

Civil lawsuits can involve various claims against a person(s), for example, breach of contract, personal injury, divorce proceedings, child custody cases, and for this study, lawsuits against government officials and agencies. Regardless of what type of civil lawsuit is brought forth in the courts, the civil suit's process or stages stays the same. Civil litigations have several steps that need to occur before the case finds its way into judges' and jurors' hands. According to the United States Courts (2020), those steps include the following:

1. A complaint from the plaintiff(s) that outlines the lawsuit's basis is the first initial step documented and filed within the court system.
2. Then the defendant is given a chance to file an answer to the complaint.
3. The judge will issue a timeline of important dates and deadlines, including when the trial takes place. Such a process is known as a scheduling order.

4. Next, the judge granted a preliminary injunction, a temporary measure that takes effect if the plaintiff can prove that irreparable harm will occur without it.
5. Then there is the motion to dismiss, and this usually occurs when the defendant can prove a deficiency within the plaintiff's complaint. If the judge rules in favor of the defendant's motion, the judges will dismiss the lawsuit.
6. The next stage within the civil process is called the motion for summary judgment. In this particular process, both parties (plaintiff and defendant) can file for such a motion, which indicates that there is no dispute between both parties about material facts and request the judge to grant direct judgment on the case.
7. If the judge fails to grant a motion for summary judgment, the next step in the civil litigation procedure is known as the mediation process. Mediation is when both parties come together and negotiate a settlement or resolution with a neutral third party as the acting mediator. Mediation can happen either by both parties volunteering or ordered by the judge to conduct such negotiations and is considered an alternative to going to court.
8. If negotiations fail and both parties cannot come to some settlement or resolution, the case would begin the hearing process. Hearing is any argument or proceedings brought before the judge in court before the official trial occurs. Such arguments can include but not limited to scheduling,

motions, hearing regarding discovery, evidence, or any relevant issues about the case.

9. The following step after the hearing is called the discovery process, where both parties (plaintiff and defendant) exchange pertinent information, documents, and evidence before trial.
10. After the discovery process, the case proceeds to conduct depositions, which will involve both parties. A deposition is an interview taken under oath, where a court recorder is present to document and transcribe the entire interview process. The purpose of depositions is to gather vital information relevant to the case. Also, allow getting witnesses' statements on record to try to prevent perjury.
11. The next step, interrogatories, has some similarities to depositions in gathering information and testimony on record. The difference is that interrogatories are a list of constructed questions about the case sent from one party to another. Each question asked must be answered truthfully and under oath, much like depositions.
12. Then the case begins the official trial proceedings with jury selection. It is important to note that a judge can hear and rule on the matter in some cases. When there is a monetary value attached to the civil lawsuit, jurors are selected and utilized in determining the fate of the case.
13. After the jury selection, the trial will begin. The trial consists of both parties' legal counsel conducting opening arguments, which is considered a blueprint

of the case they intend to present. Once the opening statements have concluded, the plaintiff's side will call on witnesses to testify and allow any cross-examination from the defendant's side. The rolls then reverse, allowing the defense to call witnesses and give the plaintiff's side the same opportunity to cross-examine. After testimonies are exhausted, and both parties are satisfied, closing arguments will conclude the trial process. The closing statement summarizes the case they presented and the last effort to impact the jurors.

14. Finally, after the trial process has come to an end, the jurors will deliberate for some time to reach a decision. The judge or juror will discuss facts about the case and come to a verdict or judgment about the case and determine if the defendant is legally liable and the remedy of retribution.

The entire civil legal system can be a long time-consuming process, but such a proceeding has a significant purpose. Civil litigation's primary objective is to hold those accountable for wrongdoing by demanding retribution through corrective actions or monetary rewards (Shapiro, 2020). Alleged wrongdoers or individuals accused of negligent acts brought forth in civil lawsuits carrying the civil liability burden.

Civil Liability

Civil liability is the conclusion of civil litigation that is considered a legal obligation for the guilty party to pay for damages and any other court order injunction to the victim (Cornell Law School, 2020). According to Cornell Law School (2020), there are two types of civil liability: contractual liability and tort liability. Contractual liability

is when one party agrees to enter into a contract, mostly a business contract, but accepts the responsibility for any losses and damages that another party incurs (Up Counsel, 2021). For example, some businesses would consider property leases, construction agreements, equipment leases, and easements subject to contractual liability.

Tort liability is part of this study's reasoning and would help determine how civil lawsuits impact police officers. According to Cornell Law School (2021), a tort is an act or omission that relates to bringing harm or injury to another person and amounts to a civil erroneous for which civil courts inflict liability ramifications. The tort liability law principle provides relief to either the injured party or party's estate holders for any losses, holds wrongdoers accountable, and prevents others from committing harmful acts (Cornell Law School, 2021). The most common remedy or compensation in damages to tort liability claims is in the form of monetary restitution (Cornell Law School, 2021). There are several types of tort liability claims involving police officers while functioning in their sworn duties.

Most common tort liability claims involving police officers within their sworn duties are excessive use of force, false imprisonment, gross negligence or reckless disregard, malicious prosecution, and wrongful death action. Excessive use of force is when officers use more force than the minimum amount necessary to diffuse a situation or protect themselves or others from harm. False imprisonment is when a law enforcement officer unlawfully restrains a person's ability to move freely. Gross negligence or reckless disregard is a lack of care for the safety or lives of others. Malicious prosecution can occur either in a criminal or civil trial, and it is a malicious

intent initiated baseless litigation against a defendant. Then there are wrongful death actions, one of the main areas of interest in this study. According to Cornell Law School (2021), wrongful death is a civil action against a person responsible for another person's death.

Law enforcement officers have unique privileges and authority when carrying out their sworn duties, and such countermeasures are in place to hold officers accountable. (Stern, 2019). These countermeasures, known as tort claims act or tort liability, hold government officials (federal, state, or local) responsible for their actions by taking the plaintiffs' claims before civil litigations. If the government official (law enforcement officer) is found civilly liable for their actions, they are subject to monetary retribution or court order sanctions. In civil lawsuits, police officers are named individually as defendants, and in return, they are held to the same judgment as agencies and organizations are.

Occupational Stress

Stress is considered a psychosocial phenomenon that individuals feel when events or thoughts can alter their emotions or physicality. According to the U.S. National Library of Medicine (2021), stress is a person's body responding to a challenge or demand of their environment, either positively (eustress) or negatively (distress). There are two main types of stress: acute stress (short-term stress) and chronic stress (long-term stress) (U.S. National Library of Medicine, 2021). These stress types can impact law enforcement, referred to as occupational stress (Maran et al., 2015; Gutshall et al., 2017).

Occupational stress is a physiological and psychological reaction to events or conditions located within the workplace and is harmful to one's health and well-being (American Psychological Association, 2020). Occupational stress received its identity as one of the top occupational health problems in the United States in the 1980s (Quick, Henderson, 2016). Sayed et al. (2019) noted that earlier research, from as far back as the 1940s, associated high-volume stressors with law enforcement occupation. It is undeniable that law enforcement is one of the most stressful professions due to experiencing acute and chronic stressful situations either from organizational stress or environmental stress (Sayed et al. 2019; Maran et al., 2015; Gutshall et al., 2017). Researchers have discovered that both organizational stress and ecological stress the two primary contributing sources to occupational stress in law enforcement. (Sayed et al., 2019; Burke, 2016; Newman & Rucker-Reed, 2004).

Organizational Stress

Organizational stressors are significant issues that are within the organization itself. According to Sayed et al. (2019), law enforcement officers reported one of the most stressful aspects of their job within the organization and their conflicts. Sayed et al. (2019) continued to define some of the organizational issues that can be related to stress, such as aggressive management, ineffective bosses, and unpredictable work schedule (i.e., long hours, rotating shifts). Simmons (2019) added that other factors related to occupational stress for law enforcement officers are bureaucratic hurdles and career ambitions.

Environmental Stress

Environmental stress, or operational stress, results from being exposed to traumatic and dangerous events almost daily in the field of law enforcement (Gutshall et al, 2017). According to Abdollahi (2002), police officers are continually dealing with violent cases and are more vulnerable to stress. Gutshall et al. (2017) stated that environmental stress factors associated with law enforcement, such as violent deaths, horrific scenes, and other traumatic events, are routine to the occupation of law enforcement. Specific examples of environmental stressors in law enforcement are officer-involved shooting, homicide incidents especially dealing with a child, and liability attachment of the job. Exposure to traumatic events for law enforcement officers in their line of work has shown some of the highest stress levels (Violanti et al., 2017).

The Adversity of Occupational Stress in Law Enforcement

Many career fields and professions endure various stressful situations within their occupation, and (Sayed et al., 2019) such workplace stress can have several adverse outcomes. Law enforcement is considered one of the most stressful jobs (Sayed et al., 2019). Stressful situations occur daily for police officers; the principle of their sworn duties is to respond to dangerous and traumatic calls for service. According to Maran et al. (2015), police officers' occupational stress is commonly prone to impair physiological well-being and psychosocial well-being. The impairment of one's physiological and psychosocial well-being can have a dreadful effect on a police officer's professional life and personal life.

The physiological impact of occupational stress for law enforcement officers can lead to several critical health issues. Quick and Henderson (2016) stated, occupational stress is related to several top leading causes of death globally and is a crucial risk factor for cardiovascular disease. According to Sayed et al. (2019), law enforcement's occupational stress, both acute or chronic, can have a devastating impact on a person's physical being. Sayed et al. (2019) gave several examples, such as becoming very lethargic, where accomplishing daily tasks becomes difficult, impacting a person's physical responses (i.e., headaches, sleeplessness, and irritability). One of the most common physiological impacts of occupational stress for law enforcement is the physical exhaustion known as *burnout*. Louw (2014) explained that burnout is a physical state of losing an energetic response, where physical fatigue affects a person's motor skills.

Burnout can also impact a person's psychological well-being. Louw (2014) mentioned that along with physical fatigue, burnout could also influence a person's emotional state of mind by feeling exhausted and create cognitive weariness. Sayed et al. (2019) went on to say that once a police officer has reached the burnout stage due to stress, they adopt a sense of detachment and cynicism, which can overtake their state of mental health. When a negative impact on mental health occurs, it usually leads to drug and alcohol abuse due to occupational stress and burnout (Sayed et al., 2019). According to Maran et al. (2015), excessive alcohol consumption is often considered maladaptive and a cynical coping strategy.

With the entirety of occupational stress and its adverse effects on police officers' physiological and psychosocial well-being, how does it influence their professional and

personal life? Occupational stress has been linked to low job performance and job dissatisfaction among police officers (Sayed et al., 2019; Water & Ussery, 2007). The results from low job performance include lack of productivity and an increase in response time. Job dissatisfaction has contributed to missing work, coming in late to work, increased public complaints, and irritability towards co-workers and administration. These actions or lack of enthusiasm within their job duties could have a detrimental impact on community relations by causing a disconnect.

The impact of occupational stress on a police officer's personal life could have a devastating outcome more so than their professional life. According to Sayed et al. (2019), Waters and Ussery (2007), Tuttle et al. (2018), studies have shown that police officers have carried their work-related stress home and harmed their marital relationship. Tuttle et al. (2018) explain further that when police officers spill over work-related stress in the marriage, it negatively impacts the relationship's romance and communication aspects. I mentioned earlier that drug and alcohol abuse results from negative occupational stress, and an addiction such as this could affect an officer's personal and professional life with devastating consequences.

Summary

At the beginning of this chapter, I provided the theoretical framework for this study and explained how PIE applies to police officers and the environment of civil lawsuits. However, there is no literature on the impact or effect that civil lawsuits have on police officers. An officer is considered civilly liable for actions taken in their sworn duties performance, which resulted in death. The literature review gave an in-depth

explanation of each topic that is associated with this study. Additionally, I have provided pertinent literature and previous research studies on occupational stress, civil litigations, and civil liability. I talked about occupational stress, the types of occupational stress (organizational and environmental), and the adverse effect that occupational stress has on a police officer's professional and personal life.

I discussed civil litigation and the burden of civil liability as occupational stressors and determined its impact on a police officer's professional life and personal life. Imagine being a police officer involved in a wrongful death lawsuit, even after you were deemed justified by all investigating agencies. Only to be told that you can lose everything that you have worked hard for, your home, job, and possibly your family just because you did your job, and it is just, unfortunately, someone died. The financial burden, the isolation from the organization can cause tremendous stress due to your occupation. This study has viewed such issues through the lens of the theoretical framework of the PIE theory. In the next chapter, I will provide the research methodology and explain the research design and its rationale. Chapter 3 will discuss the participants and sample size in detail and explain protecting participants and obtaining consent forms. The next chapter examines the researcher's role, the instrumentation approach, and the data collection and data analysis method for this study.

Chapter 3: Research Method

Introduction

The purpose of this qualitative research was to determine the impact that wrongful death lawsuits have on police officers. In the previous chapter, I discussed how occupational stress could affect a police officer's professional and personal life. The results of civil litigation and the civil liability tag associated with the law enforcement profession can create a stress factor within the occupation. This study was vital in determining how a civil lawsuit such as wrongful death could have a devastating effect on a police officer and how it may impact their performance and abilities at work and home.

In this chapter, I discuss the best research design and the reasoning behind implementing such a method. I discuss my role as a researcher in choosing the methodology, selecting participants, instrumentation involved, data collection process, and the data analysis procedure. I also explain any issues of trustworthiness associated with this study and follow-up with a summary.

Research Design and Rationale

The purpose of this research was to examine the impact wrongful death lawsuits has on police officers. The approach is to understand better how civil litigations, such as this, can negatively impact a law enforcement officer's physiological and psychological well-being. The qualitative research method was used to achieve in-depth research and reach a real understanding of the phenomenon mentioned. According to Patton (2014), to

achieve the study's full potential by developing deep and quality filled data, qualitative research methodology is preferred. The RQs for the study are as follows:

RQ1: How would wrongful death lawsuits impact a police officer's professional and personal life?

RQ2: What are the police officers' perceptions of wrongful death lawsuits?

RQ3: What can police organizations do to either lessen or eliminate civil litigations' burden on officers involved?

Role of the Researcher

As a researcher, I have an extensive amount of experience in the criminal justice system. During my 20 years of law enforcement service, I established a professional and personal relationship with law enforcement officers and their respective agencies. I have been involved in many critical incidents and have been personally involved in civil litigations. My knowledge and experience were beneficial in searching for qualified participants and guiding the research process. With personal and professional experience, it left the window wide-open for the possibility of bias intentions. Several steps was taken during the research to establish credibility and eliminate discriminatory intent, such as having participants review their results, reviewing findings with peers, and verifying data with multiple sources (triangulation). As a researcher, triangulation is the preferred method to increase credibility and validity and to decrease fundamental biases in qualitative research findings (Noble & Heale, 2019).

Methodology

The most useful research method in determining the precise impact of wrongful death lawsuits on a police officer was the phenomenological method approach. According to Patton (2014), phenomenology explores the meaning, structure, and essence of the phenomenon's lived experiences for a particular person or group of people. This study was informative and supported by lived experiences from police officers who had first-hand knowledge of being involved in a wrongful death lawsuit. Their reflection of the event can uncover civil suits' effects on police officers' professional and personal lives.

Participant Selection

The participants were selected throughout the upstate of South Carolina, and all respondents consisted of either certified or formerly certified police officers who had experienced wrongful death lawsuits. To better define police officers who participated in wrongful death lawsuits, they must have been personally named a defendant on the civil suit. This study's sampling plan is known as purposeful sampling. I selected specific participants who could provide information about the chosen topic and issue, such as police officers who have experienced wrongful death lawsuits. According to Statistics Solutions (2020), purposeful sampling is a technique that qualitative researchers use to recruit participants who can provide detailed information about a phenomenon under investigation.

The study population size was initially 15, but after interviewing 10 police officers within the upstate region of South Carolina, saturation was established. The

participant's experience level was not a requirement, as long as they met two specific criteria. They must have been certified or formerly certified sworn police officers, and they were personally involved in a wrongful death civil suit. A sample population size of 10 was adequate to justify and support those data. According to Patton (2014), the sample size of 10 participants is sufficient to reach saturation and obtain this new information.

Before starting the recruiting process of this study, I needed to obtain permission from participants' agencies. I contacted every agency lead administrator, either chief or sheriff, to receive approval to conduct the study's interviews. During the approval process, the lead administrators knew the study's purpose, my clear intention behind the study, and the confidentiality that each officer was entitled. Transparency with agency department heads could create a solid rapport for future research. After approval was obtained and documented with the approved Walden University email templates, lead administrators provided a list of officers involved in wrongful death lawsuits. Agencies retain records of all civil cases that involved their agency and any officer(s) subject to that particular lawsuit.

After the approval process, the recruiting process began with face-to-face interaction or a telephone conversation, seeking approval from the officers to participate in the study. Regardless of the initial contacting strategy, a follow-up email after every interaction supported and certified each participant's interest and approval. During the in-person or telephone interaction, it is imperative to establish trustworthiness and credibility by being transparent about my personal involvement in a wrongful death lawsuit. This trustworthiness and transparency approach helped develop a camaraderie

that could lead to positive results due to participants' comfort level and sincerity to be open and honest.

Once participants agreed to participate in the study, I then emailed a formal invitation and additional documentation that verified their agreement as a participant and documents that addressed consent and ethical concerns. After all documentation and paperwork was received and Walden University's approval was acquired, the interview process began. Each participant chose where they would like to conduct the interview; the idea behind this strategy was to allow the participant to select an environment that made them feel comfortable and relaxed. All interviews began simplistically by asking basic questions to start the participant's thought process, followed by specific questions relevant to the study. The interview questionnaire consisted of 13 open-ended questions, with the possibility of follow-up questions. When asking the study-supported questions, the integrated follow-up questions were submitted to collect rich, in-depth data.

Instrumentation

The interview approach was a semi structured system that allowed for flexibility in protocol and reinforced with follow-up questions, probes, and comments (see Dejonckheere & Vaughn, 2019). The manner the interview was conducted was the one-on-one in-person type of conversation. According to Meier (2018), there are several benefits to in-person interviews, such as a deeper understanding of the participants, which builds a faster assessment process. It also enables broad data collection, facilitates learning about artistic qualities, helps develop a personal connection, allows the

researcher to take note of body language, helps ascertain an ideal match, and lets the researcher create a memorable experience (Meier, 2018).

Procedures for Data Collection

The data collection approach of interviewing is the best method for obtaining basic and in-depth information when referencing a specific phenomenon. In-depth interviews can allow the researcher to deeply engage in the conversation with the participant by asking follow-up questions, probing for additional information, and revisiting the previous issue to obtain a better understanding (Steber, 2017). According to Steber (2017), interviewing can generate a rich sense of a person's attitude, perception, or motivation to a phenomenon. My primary purpose behind my fundamental research was to gain first-hand knowledge of law enforcement officers' understanding of how wrongful death lawsuits impacted them personally and professionally. Interviewing allowed such data to surface and supported my selected research topic. Focus groups and observation would not have provided the rich data I needed to support my study. For example, conducting a focus group can hinder a participant's honesty or be forth-coming due to other participants in attendance (Writing, 2019). When referring to observational data collection, Steber (2017) claimed that such an approach is associated with researcher bias, which can be detrimental to the entire study.

Some of the questions that I asked to gain rich data about the impact of wrongful death lawsuits were somewhat direct. I wanted to get personal, but I also remember boundaries to sensitive events, such as being involved in an incident where someone lost their life. When dealing with sensitive issues that can hurt someone emotionally by

reliving a traumatic event, it is essential to build rapport with the participant. I aimed to establish a trusting relationship by explaining to them the importance of keeping everything within this study confidential and reestablishing the informed consent process. Also, in an effort to establish trustworthiness and strengthening confidentiality, I asked participants not to identify any parties specifically involved in their perspective lawsuit by their names. Changing the original names for any parties involved supported the importance of the research's confidentiality. I needed to be upfront and forthcoming about what was to take place within the interview process.

Data Analysis Plan

A data analysis plan is a blueprint in making sure that all possible data are collected and that all collected data are being analyzed and used (Centers for Disease Control and Prevention (CDC), 2013). Having a data analysis plan allows researchers to think better through the data, such as using and analyzing them. More importantly, it helps researchers select appropriate research methods and statistical tools (CDC, 2013). As a researcher, my data analysis plan consisted of learning objectives (i.e., RQs), determining the targeted population, method of data collection, method of analysis, and practical implications (see Bengtsson, 2016). According to Adams (2019), unloading many qualitative data can be a daunting task. With organization and preparation, and along with some simple steps, data analysis can be more accessible (Adams, 2019). Some of the steps that Adams recommended making data analysis more intriguing are (a) gathering feedback, (b) coding comments, (c) running queries, and (d) reporting.

During the rigorous qualitative research process, the study's data analysis aspect of the research can be just as relentless. After completing data collection, the next task was to analyze the data collected. A researcher has the opportunity to investigate the data themselves or to use qualitative data analysis software (QDA) to assist in the task. According to St. John and Johnson (2000), there is a benefit to using QDA software when interpreting data. St. John and Johnson stated that QDA software benefits included being free from manual and clerical error, saving time, being more natural when dealing with a large amount of qualitative data, having increased flexibility, and improving validity and suitability of qualitative research.

After collecting the data from interviews and transferring them to either transcriptions or a detailed summary, the next step was to analyze the data. This step is commonly known as coding the data, and the process evolves by taking qualitative data and identifying and summarizing the central themes and patterns within the data (DeSilva, 2019). When coding the data, the researcher can start to identify recurring themes, which, in return, allows them to gain a deeper insight into the meaning of the data (DeSilva, 2019). Coding can be time-consuming due to many unorganized qualitative data gathered on such a relevant topic (DeSilva, 2019). Qualitative coding data can be done manually using Excel and Word Doc or using QDA software. The sole purpose of QDA software is to explain, understand, or interpret people and situations by determining the meaning and symbolic content of qualitative data (Predictive Analytics Today (PAT), 2020).

There are several different types of QDA software, with NVivo being the most popular among researchers. According to Predictive Analytics Today (2020), the QDA software is considered the best in their class. QDA software aims to help with transcription analysis, coding and text interpretation, recursive abstraction, content analysis, discourse analysis, and grounded theory methodology (PAT, 2020). Such QDA software is being used in research involving health care, legal, sociology, anthropology, criminology, education, theology, and philosophy, to name a few (PAT, 2020).

For this study, I used the NVivo Software, the preferred data analysis software that helped analyze data collected. NVivo is a data analysis program that supports both qualitative and mixed-method research. The software's designed purpose is to organize, analyze, and reveal insights in unstructured or qualitative data, such as interviews, open-ended survey responses, articles, social media, and web content. According to Predictive Analytics Today (2020), NVivo is more efficient, saves time, and quickly organizes, stores, and retrieves data. Predictive Analytics Today claimed that the capabilities of NVivo software are as follows:

- importing and analyzing images, videos, emails, spreadsheets, online surveys, and web data.
- relationship coding.
- using charts, word clouds, word trees, and explore and comparison diagrams.
- importing articles from the reference management software.
- importing and creating transcripts.

- reviewing coding with coding stripes and highlights.
- assisting with matrix coding, coding, word frequency, text search, and coding comparison queries.

The participant's identity confidentiality is of the utmost importance during the data collection and data analysis process. To ensure confidentiality among my participants, each interviewee had an assigned number to identify them instead of their names.

Issues of Trustworthiness

There are several issues of trustworthiness that can hinder or negatively impact a study. Having personal and professional experience leaves the window open for the possibility of biased intentions, which can affect research credibility. In elevating discriminatory intent and establishing solid credibility, steps need to be implemented, such as having participants review their results, reviewing findings with peers, and verifying data with multiple sources (triangulation). According to Patton (2014), triangulation is a process that uses various methods or data sources in developing a better understanding of a particular phenomenon. As a researcher, triangulation is the preferred method to increase credibility and validity and decrease fundamental biases in qualitative research findings (Noble & Heale, 2019).

When conducting qualitative research, ethical issues can be challenging due to the researcher's constant personal involvement in different study stages and the participants' intimate relationships (Sanjari, Bahramnezhad, & Cheraghi, 2014). Some of the ethical issues associated with in-dept interviews are psychological trauma due to talking about sensitive matters, breach of confidentiality and privacy, and unintentional bias from the

researcher (Unite for Sight, 2015). When it comes to purposeful sampling, such ethical issues could involve confidentiality and anonymity and participants' withdrawal from the study (Ngozwana, 2018). Ethical issues can be avoided within the research study using a consent form before any participants are interviewed. The participants was advised before any questioning that the interview was confidential, names was redacted from the documented study, and they could withdraw at any time that this study was strictly voluntary.

Summary

In this chapter, I discussed the research method and rationale, and the role of the researcher. I also explained the methodology implemented along with detailed RQs to support such an approach. I went on and discussed further how the RQ is addressed in the instrumentation portion. Additionally, I explained the participation selection process, size of the study population, data collection procedure, and data analysis process. Finally, I addressed in detail the issues of trustworthiness of credibility and validity, along with ethical concerns. The following chapter will examine the results of the study.

Chapter 4: Results

Introduction

In this chapter, I explain my data collection process, data analysis procedure, and the results of my research. Before discussing the findings, it is imperative to revisit the purpose behind this study. The purpose of this qualitative study was to identify three specific areas involving civil litigation and police officers: (a) to determine a police officer's perception of wrongful death lawsuits, (b) to explain how wrongful death lawsuits impact a police officer's professional and personal life, and (c) to identify police officers' perceptions of what is expected from their organization when dealing with wrongful death lawsuits. As discussed earlier in the literature review, much research has been related to police officers' occupational stressors. However, there is little to no research regarding civil litigations such as wrongful death lawsuits and how it affects police officers.

The results of this study can positively impact social change by giving readers an in-depth look and better understanding of the stress police officers endure being civilly liable in a wrongful death lawsuit. Additionally, it may improve the way law enforcement organizations assist officers going through civil litigation by giving them the resources they need during a stressful event. Bringing these issues to the forefront can help develop possible solutions to improve officers' physiological and psychological well-being.

My particular study involved a research method known as the one-on-one interview process, which allows the researcher to gather in-depth and thoughtful interview answers in an effort to obtain meaningful data (see Patton, 2014). I interviewed

a total of 10 participants for this study, which provided me with rich, in-depth data. The following RQs were the foundation behind my research and interviews.

RQ1: How would wrongful death lawsuits impact a police officer's professional and personal life?

RQ2: What are the police officers' perceptions of wrongful death lawsuits?

RQ3: What can police organizations do to either lessen or eliminate civil litigations' burden on officers involved?

As mentioned previously in the study, there has been no prior research on civil lawsuits' impact or effect on police officers. An officer is considered civilly liable for actions taken in their sworn duties performance that result in death. The past literature primarily addressed law enforcement officers' occupational stress while in the line of duty. Nothing has specifically been linked to civil liability, such as wrongful death lawsuits.

In this chapter, I discuss the research setting, participant demographics, data collection, data analysis, evidence of trustworthiness, and study results. The chapter concludes with an overall summary.

Research Setting

The face-to-face interviews for this research took place from September 2021 through November 2021. The location of each interview was in a private office on a college campus, which gave the interviewee and me a site where we would be away from any distractions, noises, and interruptions. Throughout the entire interview process, no

personal or organizational conditions interfered or influenced the interpretation of the study findings.

Demographics

For this study, 10 police officers (participants) were contacted by invitational email and telephone to participate. Initially, 15 participants were projected to participate in the study, but after interviewing 10 participants, saturation was established. Saturation in qualitative research is determined when no new data are being received, and adequate data are present to develop an accurate understanding of the study phenomenon (Hennink & Kaiser, 2019). Also, according to Alam (2020), an adequate number of 10 participants is suitable for qualitative research.

For those 10 participants, confidentiality and the protection of each identity were of the utmost importance throughout the entire interview and the data collection process. I took specific steps to ensure such privacy within the study. First, each participant was assigned a letter "P," an acronym for the word participant. Then each participant was issued a number as an identifier specific to them. Also, the assigned number was given to the participants in the numerical order in which they were interviewed

Police officers who participated in the research were either active law enforcement officers or retired law enforcement officers from various police agencies and departments in the upstate of South Carolina. The years of experience for officers ranged from 12 to 22 years. Each police officer worked various jobs in their respective agencies throughout the years and was very knowledgeable in criminal justice.

Table 1 provides an overview of the demographics and background information for each of the 10 participants.

Table 1

Demographics and Background Information

Participants	Years of experience	Police status	Race/sex	Rank
P1	15	Active	White/Male	Sergeant
P2	22	Active	Black/Male	Investigator
P3	12	Active	Black/Male	Deputy
P4	12	Active	Black/Male	SRO
P5	20	Active	White/Male	Chief
P6	21	Active	White/Male	Director
P7	19	Retired	White/Male	Investigator
P8	17	Active	White/Female	Sergeant
P9	13	Active	White Male	Patrol officer
P10	15	Retired	White Male	Sergeant

Data Collection

After receiving approval from Walden University's institutional review board to move forward with my study, the data processing began. I asked each police officer who was still active in law enforcement agency head (chief or sheriff) for permission to conduct my research involving any officer or deputy who met the criteria for the study. The lead administrators knew the study's purpose, my clear intention behind the study, and the confidentiality that each officer was entitled. Transparency with agency department heads could create a solid rapport for future research.

After approval was obtained and documented with the approved Walden University email templates, lead administrators provided me a list of officers involved in wrongful death lawsuits. Agencies retain records of all civil cases that involved their agency and any officer(s) subject to that particular lawsuit. Next, invitational emails were

sent to law enforcement officers who were either working or had formerly worked for various law enforcement agencies throughout the upstate of South Carolina. The email informed them that their assistance was requested to partake in a research study.

Within several weeks, I received multiple emails from both retired and active law enforcement officers expressing interest in participating in my study. I contacted each interested police officer by telephone who met the research selection criteria to schedule individual face-to-face interviews. The data collection process began toward the end of September 2021. It was not until the end of December 2021 that I completed all face-to-face interviews due to COVID restrictions. I was able to interview 10 police officers instead of the projected 15. After achieving saturation during the data collection process, the interviewing process ended.

All interviews were conducted in a vacant private office located at a local college campus. Before questioning began, participants read and signed a Walden University approved consent form to participate in the study. Then, participants had the opportunity to ask or state any questions or concerns about participating in the study. Every participant also agreed to have the interview audio-recorded and had no issue with me taking notes during the interview process. I used a personal journal to record any emotional cues or expressions, changes in voice tone, and nonverbal behaviors such as body language. A Sony digital voice recorder was used to record the interview process. I determined that using such a voice recorder would be beneficial because the device saved all recorded files onto an Secure Digital (SD) card, making the files readily accessible to

upload onto a computer for the data analysis process. The duration of the interviews was between 9 and 60 minutes.

As the researcher, I used a researcher-developed interview questionnaire guide when conducting the interviews (see Appendix A). The interview questions were designed to focus on their experiences in the law enforcement field to explore their perception and lived experiences related to wrongful death lawsuits. Some interview questions required follow-up probing questions to obtain the richest and more in-depth descriptive data possible. Using this technique allowed participants to relate and disclose the true raw meaning of their lived experiences to wrongful death lawsuits and if it had impacted their professional and personal lives. According to Rubin and Rubin (2012), probing questions can accomplish several essential aspects of an interview, such as clarifying and interpreting the conversation, regulating the degree of details, and bringing credible evidence and facts to the surface.

As mentioned previously, participants were assigned an identifier number to maintain confidentiality, which helped me identify the participants' audio recordings and interview transcripts. Once the interviews were transcribed, each participant received an email containing a transcription copy to review any discrepancies. Every participant agreed to the accuracy of their interview transcripts, and no corrections were made.

Data Analysis

For this study, the data were obtained through face-to-face interviews, recorded using a digital audio recorder. I then had each audio recording transcribed using NVivo Transcription software. Next, I reviewed each transcript thoroughly to ensure accuracy

and obtain an in-depth sense and passion of the content (i.e., participants' lived experiences of the phenomenon). After thoroughly reviewing and inspecting the transcripts, the next step was to analyze the data. This step is commonly known as coding the data, and the process evolves by taking qualitative data and identifying and summarizing the central themes and patterns within the data (DeSilva, 2019).

When coding the data, the researcher can start to identify recurring themes, which, in return, allows the researcher to gain a deeper insight into the meaning of the data (DeSilva, 2019). When reviewing each transcript, phrases or groups of phrases were notated and labeled and entering them into NVivo (QDA) as codes. Various phrases or blocks of text throughout every transcript that expressed similar meanings were entered and assigned to the same code. A total of 201 responses were assigned to 15 codes. Table 2 gives a visual list of the initial codes formed for each RQ during the first step process of analysis.

Next, after codes were identified, each code was grouped into themes. The coding process helps identify themes, which are features of participants' lived experiences or perceptions relevant to the RQs (University of Huddersfield, 2022). Various codes were considered related during the coding process, which meant similar meanings or shared the same overarching idea. After establishing the 21 codes, they were then assigned to three significant themes during this part of the process. Once the themes were identified, they were compared with the original data to verify their accuracy when determining the patterns of meaning in participants' responses. The next step consisted of labeling and defining each of the themes relevant to answering the RQ. The final step of

the data analysis consisted of presenting the results by writing about the findings in a tabular and narrative format. Table 3 indicates the finished themes used to address the RQ and the codes grouped that formed each of the themes.

Table 2

Internal Codes and Their Frequencies

Initial code (alphabetical list)	<i>N</i> of responses assigned
Create a negative impact on marriage and family life	21
Deteriorates confidence in doing the job	17
Developed nightmares and lack of sleep	7
Developed PTSD (Post Traumatic Stress Disorder)	4
Developed some type of chemical dependency (i.e., drug or alcohol)	3
Developing negative emotions (i.e., anger, sadness, and fear)	13
Fear of financial retribution and insecurity	17
Feeling of isolation	11
Lack of agency support	12
Lack of confidence in the civil process	35
Lack of debriefing or assistance	9
Produces a false narrative and image on police officers	2
The sense of unwarranted guilt	4
Wrongful death lawsuits cause de-policing	28
Wrongful death lawsuits cause negative stress	18

Table 3*Finalized Themes as Grouping of Initial Codes*

Theme assigned Initial code grouped into theme	<i>N</i> of responses
Theme 1: Wrongful death lawsuits impact an officer's physiological and psychological well-being	56
Developed nightmares and lack of sleep	
Developed PTSD (Post Traumatic Stress Disorder)	
Developed some type of chemical dependency	
Developed negative emotions and behavior	
Feeling of isolation	
Wrongful death lawsuits caused negative stress	89
Theme 2: The negative impact on an officer's professional and personal life	
Create a negative impact on marriage and family life	
Deteriorates confidence in doing the job	
Fear of financial retribution and insecurity	
Produces a false narrative and image on police officers	
The sense of unwarranted guilt	
Wrongful death lawsuits caused de-policing	56
Theme 3: Lack of support from police organization and the judicial system	
Lack of agency support	
Lack of confidence in the civil process	
Lack of debriefing or assistance	

Evidence of Trustworthiness

The findings developed by qualitative research studies should be quality, rigorous, and faithful to participants' lived experiences (Ravitch & Carl, 2016). According to Ravitch and Carl (2016), validity, which emphasizes objective truth, has also been called trustworthiness by other scholars. It is vital to any qualitative research to maintain trustworthiness throughout the study to ensure its credibility. Such credibility through researchers' results is supported by truthfulness and accuracy.

Truthfulness is about eliminating the possibility of biased intentions, which can affect research credibility. I used the triangulation method to elevate discriminatory intent and establish solid credibility. According to Patton (2014), triangulation is a process that uses various methods or data sources in developing a better understanding of a particular phenomenon. As a researcher, triangulation is the preferred method to increase credibility and validity and to decrease fundamental biases in qualitative research findings (Noble & Heale, 2019). The triangulation process within this research included participants reviewing their transcripts for any discrepancies, reviewing findings with peers, and verifying results and data with multiple sources.

Ethical issues can also be challenging due to the researcher's personal involvement either through the different stages of the research or through the development of a personal rapport with participants. Some of the ethical issues associated with the study could involve psychological trauma with in-depth interviews related to sensitive matters, breach of confidentiality and privacy, and unintentional bias from the researcher (Unite for Sight, 2015). These ethical issues can be detrimental to the entire research credibility, dependability, and confirmability. Dependability is when the findings of a research are consistent and repeatable such as being reproduced in the same method and setting but at a different time (Ravitch & Carl, 2016). Confirmability reflects the study's truthfulness and only mirrors the participants' views and not the researcher's bias (Amin et al., 2020).

Strict guidelines were adopted to address these ethical issues and an effort to solidify the integrity of the study. For example, participants signed a consent form, which

Walden University's Institutional Review Board approved. The consent form advised them on several ethical compliances, such as total anonymity and confidentiality for every participant within the research. The consent form also stated that participants could withdraw at any time, that this study was strictly voluntary. When addressing dependability, the same research data collection and processing instrument was utilized for each participant. Maintaining confirmability was by keeping a research journal, which allowed the research to tell the story from participants' lived experiences alone. Keeping a research journal sets a presence of truthfulness and accurate transfer of data.

Study Results

I used 13 open-ended interview questions to gain lived experiences from participants related to wrongful death lawsuits and how such civil litigations impacted them professionally and personally (Appendix A). The data collected from the interviews to address the RQs are organized into three inductive themes developed during the data analysis process. The three themes were as follows: (a) wrongful death lawsuits impact an officer's physiological and psychological well-being, (b) there is a negative impact on an officer's professional and personal life, and (c) there is a lack of support from police organization and the judicial system.

Theme 1: Wrongful Death Lawsuits Impact an Officer's Physiological and Psychological Well-Being

Law enforcement is a stressful profession that has a negative impact on an officer's mental and physical health (Queirós et al., 2020). All 10 participants strongly agreed that wrongful death lawsuits affected them negatively, both physically and

mentally. Every participant reported having experienced a large magnitude of stress that affected their complete well-being. Officers indicated that wrongful death lawsuits were harmful and threatened their overall well-being. Stress is a response to pressure or demanding situations that individuals perceive as threatening or dangerous (CAMH, 2022). Stress that becomes overwhelming and prolonged can adversely affect a person's mental and physical health (CAMH, 2022). According to the Centre for Addiction and Mental Health (2022), negative stress can impact different aspects of a person's life, from cognitive, emotional, and physical, to behavior. Negative stress can also affect an officer's performance and interactions within society (Queirós et al., 2020).

P5 supported these findings by stating, "Wrongful death lawsuit messes you up psychologically due to the distress you experienced throughout the entire process." Three participants said that they were diagnosed with PTSD from the incident involving the death of a subject and from having to relive it through the civil process of a wrongful death lawsuit. P10 referenced this perspective in stating, "I developed PTSD from the stress that I experienced through the civil litigation of wrongful death lawsuit because I had to relive the traumatic incident over and over again." Participant 10 continues to state, "Even though I was innocent from any criminal wrongdoings, I was being made out as if I was negligent in the death of a human being; this alone can have a detrimental impact on your mental and physical well-being."

Eight of the 10 participants reported the same experiences that Participant 10 experienced when feeling this false sense of guilt during the wrongful death lawsuit. Feeling guilty is an emotional symptom associated with negative stress (CAMH, 2022).

P6 reported his false sense of responsibility as saying, "I was mentally and physically distraught going through the scrutiny of all the internal investigation of a wrongful death lawsuit." P6 was asked to elaborate on the distraught's mental and physical aspects. P6 stated, "I was depressed and angry all the time; I was physically burnout had no energy or drive to do anything." All 10 participants indicated that they experienced some type of emotional distress during the wrongful death lawsuits. All 10 participants reported having anger issues and depression that affected them professionally and personally. Irritability and agitation are emotional symptoms related to negative stress (CAMH, 2022). Adverse mental health is linked to anxiety, burnout, and even suicide among police officers (Queirós et al., 2020).

Six of the 10 participants reported having suffered from insomnia and even nightmares. P2 stated, "I had several sleepless nights and realistic nightmares about the lawsuit and the tragic incident itself." P5 added by saying, "I loss many nights of sleep due to the fear of the wrongful death lawsuit and the possible financial burden that such civil litigation brings with it." According to the Centre for Addiction and Mental Health (2022), behavioral issues associated with negative stress can include changes in sleep patterns and a feeling of social withdrawal, also known as isolation.

Eight of the 10 participants indicated that they felt some isolation. P4 explained, "I felt isolated from my job, co-workers, and even my family. I felt very alone and unwanted." P7 added by saying, "There was this sense of isolation from your fellow officers and especially from the higher-ranking as if I had done something wrong." Four of the 10 participants confidently explained that they developed some chemical

dependency or increased alcohol dependence. P10 stated, “I became addicted to control substances and increased levels of alcohol to deal with the stress of going through the wrongful death lawsuit.” P1 added by saying, “I became a borderline alcoholic due to coping with the stress levels from the lawsuit, and it started to affect my job and personal life.” It is essential to understand that such problems can devastatingly impact any profession, especially law enforcement. According to Susman (2020), substance abuse can have a costly impact on medical and social interactions between the employee and employer. It can also threaten public safety, impair job performance, and jeopardize their safety (Susman, 2020). The Centre for Addiction and Mental Health (2022) stated that negative stress could initiate or increase a person's use of drugs and alcohol.

Theme 2: The Negative Impact on an Officer's Professional and Personal Life

All 10 participants indicated that the wrongful death lawsuit had affected their professional and personal lives. One of the most used words throughout the entire interview process was de-policing. According to Marlow (2022), de-policing is a reaction known as shutting down proactive police activities as a defense mechanism associated with a retaliatory state of mind or fear of retribution. One method linked to de-policing is when a police officer is accused of using excessive force either justly or unjustly (Marlow, 2022). A decline in performance or productivity in the work environment is a behavioral symptom associated with negative stress (CAMH, 2022). Police officers' performance and societal interactions can be affected due to negative occupational stress (Queirós et al., 2020). All 10 participants admitted that they disengaged themselves from

doing their sworn duties. Either out of frustration of being sued for doing their job or fear of being involved in another lawsuit.

P10 stated,

After being named in a wrongful death lawsuit, I found myself distancing and disengaging from the community. I took the lawsuit personally, and it impacted how I did my job. The justice system allowed someone to sue me, and I was completely innocent of any wrongdoings. I was very cynical about people and the legal system and the ability for civil lawsuits for innocent people. As a police officer, I had the mentality of don't expect me to rush or kill myself getting there if every time I do my job, I can be sued.

P3 indicated, "I found myself disengaging from the community because I was angry that I was being sued for doing my job, and was even found justified for doing my job." Out of ten participants, six shared similar frustration as Participants 10 and 3 expressed.

The other four participants shared a different view of why they were de-policing. The other four participants de-policed due to fear of again being named in a lawsuit. P2 referenced this concern in stating,

I am always worried about what is going to happen, you know, being sued again for doing your job and scared of the consequences. I found myself less proactive because of this. Every time I go up to a call, I felt like I had a target on my back. More importantly, I second-guess every decision that I make, and this alone is frustrating. My confidence was nowhere near what it has used to be.

P5 supported this statement by stating,

I withdrew from my job, withdrew from doing what I would normally do, due to being scared of being named in a lawsuit again. I also found myself when engaging in a situation; I was hesitant in making a decision; it was like I was constantly second-guessing myself.

Another interesting topic that six of the 10 participants shared in the interview is how wrongful death lawsuits produce a false image of the law enforcement profession.

P7 stated,

My wrongful death lawsuit was finally settled out of court, where the family of the deceased was awarded a large substantial amount of money. I was innocent of any wrongdoings, but the payout made it appear that I was negligent in my action. The lawsuit was published in the newspaper for everyone to see that my agency paid the deceased's family and made me look guilty in return.

P4 supported P7's statement by stating,

There is a saying that circulates throughout the civil court system that it is cheaper to settle out of court than to go to court. It's a legal way for a defense attorney to steal money from deep pockets. It creates a negative image of the law enforcement profession by paying out money when there should be no liability in doing your sworn duty, protecting, and serving.

According to the Centre for Addiction and Mental Health (2022), family burden and neglect are other behavioral symptoms related to negative stress. Ten participants indicated that wrongful death lawsuits negatively impacted personal life, especially their marriages. All ten participants stressed the fear of financial burden due to the possibility

of losing everything because of the wrongful death lawsuits. In return, this negatively affected their relationship and family life. P10 shared his thoughts by stating,

It affected my physical health, my mental health, my emotional health affected the way I related to my kids and wife. My health declined, my marriage was in chaos, I disconnected from my kids, a sense of isolation, and I had trust issues. It was mental and physical torture to go through a traumatic experience of someone losing their life and continue to relive it through the civil process. Then there was the fear of financial burdens that helped deteriorate my marriage. I was scared of losing everything just for doing my job, and I took this fear out on my marriage.

It is important to note that Participant 10 and his wife eventually divorced due to the wrongful death lawsuits and the unnecessary stress it created on his personal life.

P3 also shared a similar experience in stating,

I became isolated from my family. I found myself easily angry and snappy towards my kids and wife. I feared the financial consequences when it came to the lawsuit. I feared that I could lose everything I worked hard for my entire life just for doing my job. My wife and I even considered divorcing to protect our assets, such as our house. I could not live with myself if I lost the home, my family's sanctuary, for just doing my job.

During the interviews, every participant mentioned several similar statements, such as marital stress, financial burden, and isolation.

Theme 3: Lack of Support From Police Organizations and the Judicial System

Organizations that fail to provide proper and adequate support for their employees have increased stress levels among their workforce (Chappell, 2022). According to Chappell (2022), Portland State University's study indicated that 40 percent of employees experienced higher stress levels due to improper or lack of organizational support. Eight out of ten participants stated the lack of support from their perspective police agency. So far, we have learned that wrongful death lawsuits can be very stressful and negatively impact police officers' professional careers and personal lives. Eight participants referred to not having the support they needed when going through the traumatic experiences of the civil lawsuit. P10 stated,

The department offered assists after the incident itself, but two years later, being named in a wrongful death lawsuit due to that specific incident brought back those traumatic experiences, and offer no assistance. I should have gotten immediate help, some type of debriefing; instead, they made me feel isolated. I felt this false sense of guilt due to the actions of my agency.

Like P10, P2 referred to lack of support from the police organization as “silent and isolated” and “no support or assistance.” P3 and P4 also shared their experience as being “having to face the stressful situation of the lawsuit alone” and “no debriefing, not even a conversation with us about the ordeal of the lawsuit.” P5 also stated,

They (agency) made me feel that there was a distance between us. I felt like I did something wrong, and I was even found justified in my actions. They did absolutely nothing to assist me during this critical time of my life.

According to P1 and P8, they received positive support from law enforcement agencies. P1 stated, “My agency was very supportive during the entire civil process. They gave me the assistance that I needed. They showed a true sincerity in my well-being.” Participant 8 indicated that even though his agency was supportive during the wrongful death lawsuit, he did not get any assistance or debriefing. It is important to note that every participant was provided legal aid during the civil litigation offered by their respective agencies.

What I did find to be interesting is that all 10 participants expressed a lack of confidence in the judicial system, the civil side mainly. Every participant indicated that if officers are justified in their actions, they should be immune to any civil liability. P1 stated, “I feel like if the officer is deemed not guilty and he has not violated any civil rights or criminal law, they should not be held accountable civilly.” Like P1, P10 stated, “I did nothing wrong to have a civil lawsuit against me. When I was found justified for my actions, that should hold no ability for an attorney to sue me.”

P3 added by saying, “If no crime was committed and I did my job to the best of my ability, I should have been cleared instantly of any civil liability; the civil process is broken.” Many Americans share the same opinion as to the participants when talking about lack of confidence in the legal system. According to Willow Research (2021), the public confidence in the legal system was low. A survey indicated that about one-third of Americans today lacked confidence in the court system (Willow Research, 2021).

Summary

The purpose of this qualitative study is to gain a deeper understanding of how wrongful death lawsuits impact police officers' professional careers and personal life. Three themes emerged during the data analysis to address each RQ, which indicates a negative impact on police officers' total well-being. With officers' well-being negatively impacted by a wrongful death lawsuit, it begins a snowball effect, affecting their career and personal lives. The first theme was: wrongful death lawsuits impact an officer's physiological and psychological well-being. All 10 participants agreed that wrongful death lawsuits affected them negatively, both physically and mentally. Participants suffered from lack of sleep, nightmares, depression, and exhibited extreme anger. Some participants develop a chemical dependency, either drug or alcohol or both, as a coping mechanism, leading to more physical and mental trauma.

The second theme was: the negative impact on an officer's professional and personal life. All 10 participants indicated that the wrongful death lawsuit had affected their professional and personal lives. All 10 participants admitted that they disengaged themselves from doing their sworn duties. Either out of frustration of being sued for doing their job or fear of being involved in another lawsuit. Also, six of the 10 participants thought that wrongful death lawsuits produce a false image of the law enforcement profession. Additionally, all 10 participants indicated that wrongful death lawsuits negatively impacted personal life, especially marriage. Participants stressed the fear of financial burden due to the possibility of losing everything because of the wrongful death lawsuits.

The third theme was: the lack of support from police organizations and the judicial system. Eight out of ten participants indicated the lack of support from their perspective police agency. Two participants stated that they received positive support from law enforcement agencies. Even though one of the two participants said his agency was supportive during the wrongful death lawsuit, he did not get any assistance or debriefing. An interesting factor that surfaced after interviewing participants, all 10 participants expressed a lack of confidence in the civil process of the judicial system. The next chapter will include the interpretation of the findings.

Chapter 5: Discussion, Conclusions, and Recommendations

Introduction

The purpose of this qualitative study was to obtain a more transparent and deeper understanding of how wrongful death lawsuits impact police officers. The purpose behind the design of this qualitative study was to allow police officers to share their thoughts, experiences, and feelings of the impactfulness that a wrongful death lawsuit had on them. Civil lawsuits and civil liability have been a concern for police officers' professional lives and personal lives and can impact their respective police department's daily operations and productivity. According to Hall et al. (2003), civil lawsuits against police officers have increased recently, and the results showed a concerning decrease in their duties' performance. The concerning issues of civil litigations and civil liability have made their way into police officers' personal lives by carrying their work-related stress home to their families, which has had a devastating impact (Sayed et al., 2019; Tuttle et al., 2018; Waters & Ussery, 2007).

The purpose of this study was to explore the phenomenon that wrongful death lawsuits have a negative effect on police officers' professional careers and personal lives. However, when it came to researching literature, there was very little literature on civil litigation and no literature referencing wrongful death lawsuits involving police officers. To better understand how wrongful death lawsuits impact police officers, it was imperative to explore the lived experiences of police officers who experienced such a traumatic event. This particular study was conducted to meet the research need.

This qualitative study included data collection through interviews involving a questionnaire consisting of 13 open-ended questions (Appendix A). The interviews were in-person and were administered at a neutral location, the public library vacant office room, where privacy and confidentiality were sustained throughout the entire process. The participants consisted of 10 police officers (eight active and two retired) instead of the projected 15; the interviewing process ended due to reaching saturation during the data collection process. During the interview process, participants emotionally expressed their perspectives and experiences of how wrongful death had impacted them.

After the data collection process, I analyzed the data thematically in NVivo 12 software. Three major themes emerged to address each RQ, including (a) wrongful death lawsuits impact an officer's physiological and psychological well-being, (b) there is a negative impact on an officer's professional and personal life, and (c) there is a lack of support from police organizations and the judicial system. The final chapter consists of the interpretation of findings, study limitations, recommendations, and implications. The chapter also includes positive social change implications and a conclusion for the study.

Interpretation of the Findings

Police officers endure critical situations regularly, and law enforcement is considered one of the most stressful occupations (Sayed et al., 2019). Stressful factors are copious in law enforcement's occupational field of work, which can have a lasting negative impact on officers' psychosocial well-being and physical health (Maran et al., 2015). Wrongful death lawsuits against police officers can traumatize a police officer's professional career and personal life. Gutshall et al. (2017) stated that such negative,

stressful factors among police officers could alter their cognitive behavior, personally and professionally. Negative stress factors are known to impact a police officer's personal life, including their relationship with their significant other (Tuttle et al., 2018).

In this chapter, I contextualize the study findings within the theoretical framework and the previous literature. The theoretical framework associated with this study was the PIE theory. The PIE theory was established by Mary Richmond (1917) with the concept that the environment can impact a person's behavior, problems, and issues (Gonzalez, 2017). According to Karls et al. (1997), the PIE theory is primarily used in the field of social work and human services as an assessment tool to better understand people's problems, including interpersonal, environmental, mental, and physical, which are influenced by one's environment.

There are four factors associated with the PIE theory: (a) an individual's problem in social functioning, (b) an environment that affects one's social functioning, (c) an individual's mental health, and (d) an individual's physical health (Karls et al., 1997). The PIE theory can apply to the law enforcement profession as an assessment tool to better understand how an officer's environment (wrongful death lawsuits) can impact their psychosocial well-being and physical health. The research data revealed that police officers' environment of wrongful death lawsuits could affect their professional career and personal lives by impacting their psychosocial well-being and physical health.

This study revealed the connection with each factor (law enforcement officers and their environment) within the PIE theory. Social roles in relationships with others for this study were associated with law enforcement officers and their interaction with the public

and their respective family members and coworkers. The social environment for this study was the civil litigation process for wrongful death lawsuits. The setting of courtroom proceedings, depositions, and mediations accurately depicted a social environment. This study also demonstrated how mental and physical health could impact law enforcement officers, mostly from stress factors associated with wrongful death lawsuits. The remainder of the interpretation section is organized by identifying and explaining the themes revealed during the QDA for this study.

Theme 1: Wrongful Death Lawsuits Impact an Officer's Physiological and Psychological Well-Being

Law enforcement is a stressful occupation that has a negative impact on an officer's mental and physical health (Queirós et al., 2020). All participants in this study agreed that wrongful death lawsuits affected them physically and mentally negatively. Every participant reported having experienced a large magnitude of stress that affected their complete well-being. The Centre for Addiction and Mental Health (2022) mentioned that overwhelming and prolonged stress could adversely affect a person's mental and physical health. Participants had experienced psychological damage due to the distress of the civil litigation process. Several participants admitted being diagnosed with PTSD from having to relive the incident over again due to the civil process of a wrongful death lawsuit.

Some participants explained being mentally and physically distraught and experiencing burnout because of the scrutiny that a police officer endures through the process of a wrongful death lawsuit. It was mentioned that decline in performance and

productivity due to depression, agitated, and irritability were all associated with negative stress (CAMH, 2022). According to Queirós et al. (2020), not only police officers' performance was affected, but also their interaction with society. Every participant indicated experiencing some type of emotional distress and depression.

Several participants admitted the physical damage of becoming chemically dependent on drugs and alcohol due to the stress of wrongful death lawsuits. The Centre for Addiction and Mental Health (2022) mentioned that negative stress could initiate or increase a person's use of drugs and alcohol. Susman (2020) noted that drug usage could have a costly impact on medical and social interactions between the employee and employer, such as threatening public safety, impairing job performance, and jeopardizing their safety. Many of the participants suffered from insomnia and intense nightmares.

The findings in Theme 1 were consistent with those of previous literature, which explored occupational stress. Occupational stress is a physiological and psychological reaction to events or conditions located within the workplace and is harmful to one's health and well-being (American Psychological Association, 2020). In relation to the theoretical framework in this study, the PIE theory, three of the four factors were identified. The environment is that of the traumatic, stressful atmosphere of a wrongful death lawsuit and the magnitude of how it affected a police officer's mental and physical health.

Theme 2: The Negative Impact on an Officer's Professional and Personal Life

Cornell Law School (2020) described civil liability as the conclusion of civil litigation that is considered a legal obligation for the guilty party to pay for damages and

any other court order injunction to the victim. The most common type of civil liability is known as tort liability. Tort liability claims involving sworn police officers include excessive use of force, false imprisonment, gross negligence or reckless disregard, malicious prosecution, and wrongful death action. Law enforcement officers have unique privileges and authority when carrying out their sworn duties, and such countermeasures are in place to hold officers accountable (Stern, 2019). If the law enforcement officer is found civilly liable for their actions, they are subject to monetary retribution or court order sanctions.

It is essential to understand that every participant for this study was justified in their actions but still found themselves a victim of a civil liability lawsuit of wrongful death. This action sent a false sense of responsibility for the death, a false sense of guilt, and the fear of financial burden. A sense of guilt and feeling responsible is an emotional symptom commonly associated with negative stress (CAMH, 2022). Every participant indicated that having these feelings about being sued and possible financial obligations for doing their job caused unnecessary stress and emotionally distraught.

All 10 participants indicated that wrongful death lawsuits affected their professional and personal lives. One of the most used words throughout the entire interview process was “de-policing.” Marlow (2022) mentioned that de-policing is a reaction known as shutting down proactive police activities as a defense mechanism associated with a retaliatory state of mind or fear of retribution. Some participants stated that they lost confidence in doing the job, fearing being sued again. Most participants indicated that de-policing resulted from negative stress and emotions due to the traumatic

experience of a civil lawsuit. The Centre for Addiction and Mental Health (2022) stated previously that a decline in performance or productivity in the work environment is a behavioral symptom associated with negative stress.

Every participant stated that all the mental and physical anguish from the wrongful death lawsuits negatively impacted their personal lives—every participant associated the possible financial burden of the civil lawsuit with impacting their marriage and family life. According to Pascale and Primavera (2018), financial burden or debt can be detrimental to a person's personal life, especially their marriage. Participants spoke about reliving the traumatic incident of someone losing their life over and over again throughout the entire civil process and possibly losing everything they worked hard for. Officers found themselves taking those negative emotions and stress home and unintentionally taking it out on their families. According to Shellenbarger (2019), bringing work-related stress home can negatively impact a person's relationship by creating arguments, withdrawing emotionally from their families, and neglecting their partners. One participant even shared that his experience dealing with the wrongful death lawsuit led to his divorce from his wife. Another participant indicated that he and his wife discussed divorcing to possibly save their home from any monetary retribution from the lawsuit.

The findings in Theme 2 were consistent with all four factors of the PIE theory. Four elements within the PIE theory classify and describe social functioning problems such as social roles in relationship to others, social environment, mental health, and physical health (The University of Calgary, n.d.). Participants explained the impact of

wrongful death lawsuits on their professional and personal lives. Theme 2 presented the environment of wrongful death lawsuits, how it affected police officers' social functioning, and the types of problems they experience in trying to function professionally and personally. Civil litigation (wrongful death lawsuit) can create an environment that can negatively influence a police officer's social, mental, and physical well-being, associated with the PIE theory factors.

Theme 3: Lack of Support From Police Organizations and the Judicial System

Every participant understood the meaning and purpose of civil litigation and how law enforcement becomes involved in such civil litigation within the judicial system. Civil lawsuits are legal proceedings that hold individuals or organizations accountable for negligent acts resulting in the plaintiff (i.e., victim, victim's family member, or estate representative) receiving punitive damages. (Cornell Law School, 2020). The findings in this theme coincided with participants' perspectives of civil litigation and previous research. Law enforcement officers mainly become involved in civil lawsuits due to overly aggressive policing, according to Hurley and Januta (2020). Participants understood that civil lawsuits involve them personally and the organizations.

Almost all participants indicated a disconnect between them and the organization during the civil lawsuit of wrongful death. Participants explained the lack of support from their agencies during the civil litigation, which added more undue stress to the situation. Chappell (2022) stated that organizations that fail to provide proper and adequate support for their employees have increased stress levels in their workforce. Most participants mentioned feeling isolated from their colleagues and department. Behavioral issues

associated with negative stress can include a feeling of social withdrawal, also known as isolation (CAMH, 2022). Almost all participants indicated that they received no assistance (i.e., debriefing) in managing the stress they had to endure throughout the civil process. Participants described feeling a false sense of guilt due to their organization's actions or lack thereof.

Every participant indicated their lack of confidence in the judicial system regarding civil lawsuits and police officers. Willow Research (2021) mentioned that public confidence in the legal system was low. Previously stated, the survey indicated that one-third of the public lacked confidence in the judicial system (Willow Research, 2021). Participants understood the purpose behind civil litigation but could not connect with being civilly liable for just doing their job. Every participant indicated that if officers are justified in their actions, they should be immune to any civil liability. In relation to the theoretical framework in this study, a crucial factor of the PIE theory can be associated with Theme 3. The environment that affects one's social functioning is the foundation of the PIE theory. The environment within the police organization during civil litigation involving their police officers can impact how that officer functions socially. Having felt isolated and guilty is only impacting their well-being negatively. It was proven that such a negative impact from wrongful death lawsuits has damaging results in their performance of their duties and how they live their personal lives.

Limitations

One limitation of the study was understanding and eliminating any ethical issues that could hinder any research. Ethical issues can be challenging when conducting

qualitative research due to the researcher's constant personal involvement in different study stages and the participants' intimate relationship (Sanjari et al., 2014). Some of the ethical issues associated with in-dept interviews are psychological trauma due to talking about sensitive matters, breach of confidentiality and privacy, and unintentional bias from the researcher (Unite for Sight, 2015). The implementation of consent forms before any interview discussion on participants begins helps participants to understand their responsibilities and options they have during the process. Before questioning, the participants were advised that the interview would remain confidential and that names would be withheld from the documented study. They could have withdrawn at any time from this study. Each participant was given access to assistance due to talking about sensitive matters involving their well-being and how it was affected by wrongful death lawsuits. This allowed participants to disclose their personal experiences without reprisal and eliminated ethical issues.

Recommendations

This was a qualitative research study focused on wrongful death lawsuits and how they impact police officers in their professional career and personal life. Further research is recommended to address these particular issues in a larger geographical area for comparison. Researchers could take a different approach and examine this same topic through a quantitative research method. A quantitative research method would allow the researcher to reach a larger sample size and generalize results.

Participants expressed their lack of confidence in the judicial system, referencing civil litigation involving police officers who were justified in their actions, which resulted

in death or injuries. It would also be a point of interest to research and examine the laws of qualified immunity to determine if such laws need to be amended or established to protect officers better when carrying out their sworn duties. Additional protection for police officers would allow them to carry out their duties without the fear of retribution from civil liability.

Implications

Positive Social Change

This study's findings can impact positive social change by informing and bringing awareness of the impact of wrongful death lawsuits on police officers. This study can provide law enforcement organizations, management, and other stakeholders with information about officers' mental and physical stress when involved in civil litigation. It can allow them to better understand how these stressors impact police officers' performance in their duties and how they function within their personal lives. Moreover, the results of this study can assist law enforcement organizations in implementing some type of assistance program to support police officers who are going through the traumatic experiences of wrongful death lawsuits or any civil litigation. According to Donnelly, Valentine, and Oehme (2015), law enforcement organizations must implement a more extensive stance on getting officers the help they need when dealing with workplace stress and mental health. Implementing an Employee Assistance Program (EAP) can be beneficial in developing a better understanding of police officers in workplace stress and mental health issues (Donnelly et al., 2015).

This study can also allow officers to better understand what to expect when going through a wrongful death lawsuit and develop an effective and healthy way to approach such an experience. According to the Office of Disease Prevention and Health Promotion (2022), an individual can either prevent or reduce stress by preparing for stressful events by knowing what to expect. Planning ahead and understanding the stressful event before it happens can lead to better health physically and mentally (OASH, 2022).

It has been mentioned that the occupation of a law enforcement officer is one of the most stressful jobs (Sayed et al., 2019). Eliminating or lessening stress factors among police officers can make a positive social change in society. Negative stressors among police officers can lead to problematic behaviors and attitudes (Lumb and Breazeale, 2010). A police officer who feels more protected and relaxed can have a more positive attitude. A positive attitude can improve or establish a better relationship with the community they serve. According to Rebeck and Bertrand (2020), a positive mindset can positively impact health and well-being when it comes to law enforcement and the community. In return, society and police relations can prosper and lessen the gap between the two. Positive policing is a scientific approach that takes strengths such as positive emotions to enable communities and individuals (police officers) to thrive (Rebeck & Bertrand, 2020).

Methodological, Theoretical, and Empirical Implications

This study utilized the PIE theory as the theoretical foundation to determine and examine how the environment of a wrongful death lawsuit affects police officers' professional careers and personal lives. This study indicated that all four factors

associated with the PIE theory could be used as an assessment tool to determine the severity of the impactfulness. It was proven throughout the study that civil litigation such as wrongful death lawsuits, harmed a police officer's psychological and physiological well-being. In return, the adverse effects in these areas had a negative and altering impact on their professional career and personal life. The professional side included de-policing tactics, such as disengaging from the community out of fear of being sued again and feeling angry and resentful for doing their jobs. Officers also experienced a lack of confidence in making decisions and performing their duties. The study showed that officers' personal life suffered from the negative impact of a wrongful death lawsuit. Officers suffered from PTSD, chemical dependency, marital strain, and fear of financial burden.

Conclusions

This study provided valuable data and insight into what police officers endure during the civil litigation of a wrongful death lawsuit. The primary theoretical approach was the PIE. theory, which emphasizes that the environment heavily influences a person; therefore, the negative impact of their problems can adversely affect their environment. According to the study, police officers who have experienced a wrongful death lawsuit were impacted in a negative, stressful way. In return, the negative impact that police officers had endured carried over into their environment (professionally and personally).

This study also brought insight into how the organization handles officers going through a wrongful death lawsuit. It was determined that the organization did not give adequate support and assistance to officers dealing with the traumatic experience of a

wrongful death lawsuit. This study can assist organizations in implementing a preventive countermeasure to help police officers cope with the traumatic experience of a wrongful death lawsuit. At the most, this study brings awareness to law enforcement organizations and to shareholders on how wrongful death lawsuits impact police officers.

This study presented the lack of confidence in the legal system on civil liability from police officers affected by wrongful death lawsuits. Participants expressed that if officers are found justified in their actions, they should not be held civilly liable. This alone would eliminate the negative stress that has been a silent plague among police officers. This study can be a stepping stone in developing or strengthening laws that protect police officers in the functions of their duties.

It is crucial to improve in this area of study by enhancing the well-being of police officers, which can only benefit the community they serve. It is a misconception that police officers don't have emotions or feelings and are wired and programmed to withstand traumatic experiences within the profession. The hard truth is that those police officers are also human and need protection, just like the community they protect daily.

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Appendix A: Interview Questions

1. Describe your experience and certification as a police officer?
2. What is your current or former role in your perspective law enforcement agency?
3. In your own words, what is your understanding of civil liability and wrongful death lawsuits?
4. Pertaining to your role as a police officer, have you ever been associated with a wrongful death lawsuit?
5. What are your thoughts of state and federal involvement in wrongful death lawsuits after an officer is deemed justified?
6. What are your thoughts and/or perspective on civil litigation as it relates to wrongful death lawsuits of police officers?
7. From your law enforcement perspective, how would being named a defendant make you feel?
8. How can a wrongful death lawsuit affect a law enforcement officer's career?
(Potential for follow-up questions.)
9. How can a wrongful death lawsuit affect a law enforcement officer's personal life? (Potential for follow-up questions.)
10. How does the organization you work for assist law enforcement officers during civil litigations?
11. From your law enforcement perspective, what would you like people to know about the overall impact wrongful death lawsuits can have on a police officer?

12. What are your thoughts and/or perspective on possible changes or improvements in the civil litigation process involving law enforcement officers?
13. Is there anything that a law enforcement officer would like to add that was not covered in the interview?

Appendix B: Participant Invitation Email

The Impact of Wrongful Death Lawsuits on Police Officers

Email Invitation for Participants

Hello,

I hope this note finds you well.

I am currently in the Walden Ph.D. program. As part of my dissertation process, I'm researching the impact of wrongful death lawsuits on police officers. This is qualitative research that consists of interviews of participants that fit the research topic's criteria. I'm seeking any police officers or former police officers that could participate as "interviewees" for my research. Would you be interested in assisting?

The process will include completing an Informed Consent Form, which I'll email to you, and allowing me to conduct a one-on-one in-person interview. The whole process should take no more than 15 minutes of your time.

Please let me know if you would like to participate. The dissertation process has deadlines, so we'll need to begin the process by *(date)* and finish the interview by *(date)*.

You can contact me by phone at [phone number redacted] or by email at [email address redacted] if you have any questions or concerns.

Thank you.

Richard Kevin Powers

Walden University
Doctoral Candidate