

Suicide-By-Cop Precludes Death Benefits

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The Eleventh Circuit Court of Appeals recently ruled in *North American Company for Life and Health Insurance v. Caldwell* that the beneficiaries of two life insurance policies were not entitled to the policies' death benefits after the insured of those policies committed "suicide-by-cop." In a case of first impression, the insurer had issued two insurance policies on the life of Justin Caldwell. Each policy provided a \$1 million death benefit to the beneficiaries, one of whom was Justin's wife, Michelle Caldwell. Each policy contained a clause that excluded suicide from coverage under the policy.

On October 8, 2020, Justin demonstrated signs of suicidal intent after learning that Michelle wanted a divorce. Michelle called 911 to report that Justin was "suicidal" and that he "wanted to die by law enforcement." Once the police officers arrived to the scene, Justin was shot and killed after he attempted to point his personal rifle at the police.

"Suicide-by-cop" is a colloquial phrase that indicates a form of suicide in which the suicidal person intentionally engages in life-threatening behavior to induce a police officer to shoot him or her. The beneficiaries of the policies argued that the fact that the officer fired the deadly bullet necessarily detached Justin's death from his intent to die. The district court originally ruled that Justin died "as a result of being shot by another person," not "suicide," and granted judgment in favor of the beneficiaries. The Eleventh Circuit, however, reversed, finding that the ordinary meaning of "suicide" included suicide-by-cop.

The appellate court looked to the ordinary meaning of the word "suicide," finding that a death is considered a suicide when a person intentionally causes his or her own death, the specific method of which is irrelevant. English language and legal dictionaries confirmed that the ordinary meaning of "suicide" covered any method used by someone to end his or her own life voluntarily and intentionally. The court also examined other materials, including scientific journals and past court decisions, to find additional support for its conclusion that "suicide-by-cop" is a form of suicide.

In its conclusory remarks, the Eleventh Circuit cautioned that it was not deciding that the ordinary meaning of “suicide” covers all imaginable instances of suicide-by-cop, noting that many instances may require case-by-case factual determinations regarding the decedent’s intent or actions.

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