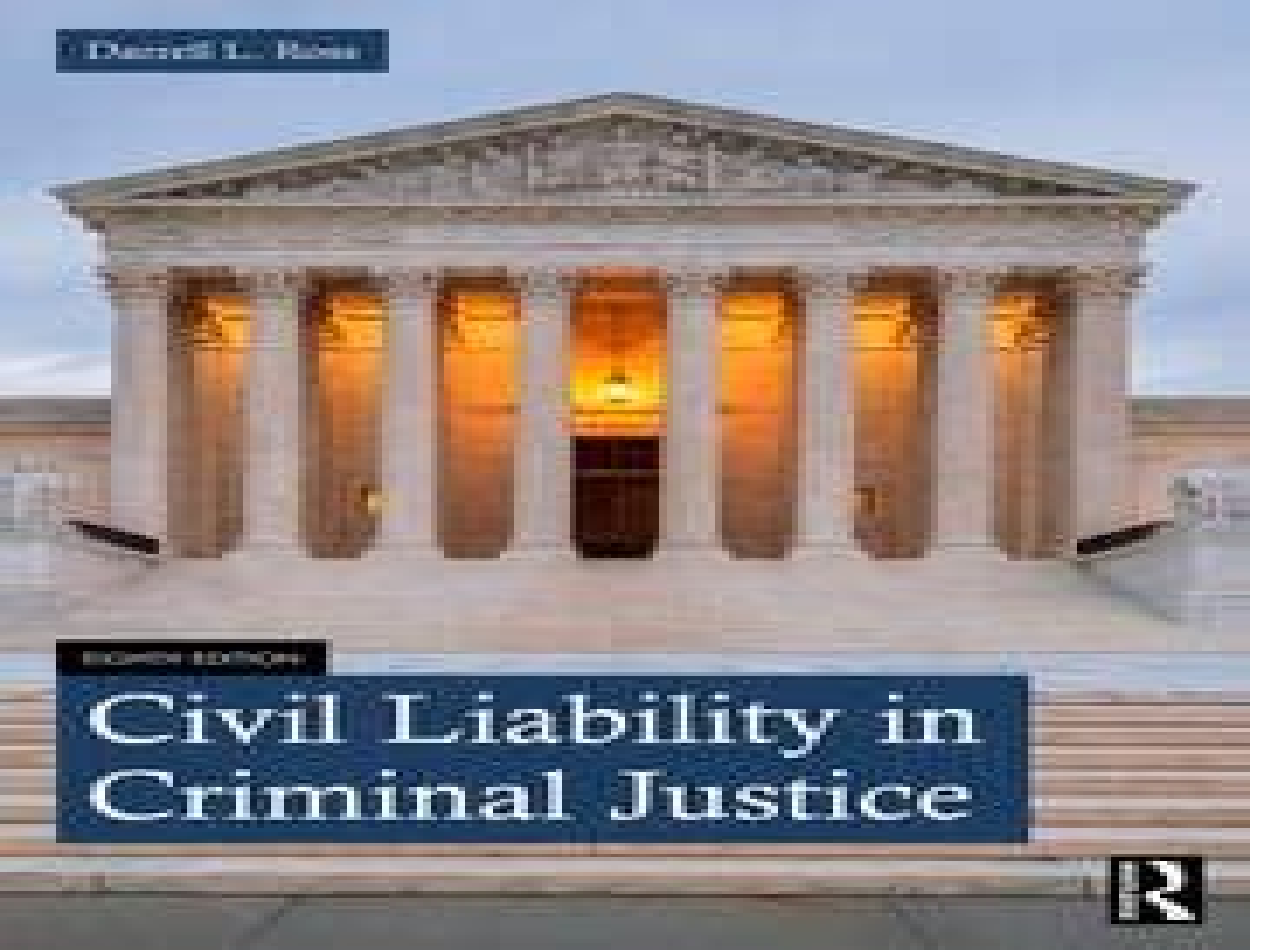




Darrell L. Kahan

EIGHTH EDITION

Civil Liability in Criminal Justice



Civil Liability In Criminal Justice

Darrell Lee Ross



Civil Liability In Criminal Justice:

Civil Liability in Criminal Justice Darrell Lee Ross, 2013 Close to 60 000 civil lawsuits are filed annually against criminal justice practitioners This increasing litigation poses a significant problem for law enforcement and other personnel who must ensure they are performing their legal duties within the boundaries of case law In brief they not only need a working knowledge of criminal law but a firm grasp on the civil law process as well Civil Liability in Criminal Justice provides valuable advice and protection to future officers and correctional system employees introducing them to civil liability generally and the federal law specifically while indicating steps that can be taken to minimize risks The text clearly outlines the specific precedents to which both individual staff members and entire agencies must adhere and provides court decisions in common and high liability areas This text is now one of very few on the subject that combines applicable case law and related liability research a valuable new feature for current and future policy makers and managers It also provides an overview of current case law in high liability areas enhancing student knowledge and practitioner job performance What s more newly equipped with a much enhanced ancillary package Civil Liability in Criminal Justice now offers support to both students and their instructors as they work to master this complex topic Exercises based on ethical dilemmas and evidence based assessments of likely trouble spots in organizational training and policy prepare the reader to avoid costly legal action in the complex worlds of policing and corrections Hundreds of cases are referenced throughout the text including the latest US Supreme Court decisions in civil liability suits against police and corrections officers and their agencies Provides richly documented research findings regarding recent trends in litigation and financial penalties Includes current thinking on avoiding lawsuits through training and policy development *Civil Liability in Criminal Justice* Darrell L. Ross, 2010-04-06 This handbook addresses the problems confronting criminal justice practitioners and their agencies due to the increased number of civil liability lawsuits It introduces the reader to civil liability generally and the federal law specifically while indicating steps that can be taken to minimize risks Due to increasing civil litigation against criminal justice agencies students and practitioners not only need a working knowledge of criminal law but a firm grasp on the civil law process Hundreds of cases are referenced throughout the text Civil Liability in Criminal Justice H. E. Barrineau, 1994 The number of lawsuits alleging misconduct on the part of criminal justice practitioners has increased in recent years and the rise in the number of civil liability suits has profound implications for individual practitioners and their employing agencies Criminal justice practitioners will undoubtedly continue to be sued due to the nature of their jobs Law enforcement personnel place individuals in custody and often use force sometimes deadly force in performing their duties Jail and correctional personnel impose limits on an individual s freedom of movement and probation and parole officers also exercise considerable control over client lives Although most criminal justice practitioners have a vague understanding that they can be sued few have real knowledge of their potential civil liability Civil liability is complex and varies according to jurisdiction and developments in

Federal law have greatly expanded the scope of civil liability Local governments can now be held liable for the conduct of police officers and jail personnel In addition sheriffs police chiefs and mid level supervisors can be held personally liable for the conduct of their subordinates The author discusses civil liability in terms of differences between civil and criminal law and defines types of civil or tort actions that can be taken against criminal justice practitioners The author also considers specific cases brought against criminal justice practitioners administrators supervisors and agencies Viable defenses available to criminal justice practitioners and agencies are described as well as provisions of U S Code Section 1983 under which most lawsuits are brought in Federal court

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Private Security and the Law Charles Nemeth,2004-10-22 Private Security and the Law Third Edition is a textbook analysis of significant practices in the security industry that relate to law regulation licensure and constitutional dilemmas according to case and statutory authority It is a treatise on the state of the law that governs the security industry and its operatives The book fills the void that an increasing number of institutions are seeking as they expand their security programs in response to the growing demand for security education This book delivers up to date information on the legal requirements witnessed by most security firms It also explores the liability problems common to security operations including negligence and tortious liability civil actions commonly litigated and strategies to avoid troublesome causes of action that effect business efficiency From another angle the work examines the constitutional and due process dimensions of private security work and affords the reader a look at how case law applies certain remedies to wronged parties Recent cases and the trends sure to follow are highlighted throughout the text Finally the text is filled with checklists data and other useful information that aids the security practitioner in applying theory to practice This book will appeal to students in security and criminal justice programs private security consultants corporate security managers and lawyers Up to date case law analysis provides cutting edge legal treatment of evolving standards Complicated material is presented in a down to earth readable style perfect for the student of security or security professional Over 200 tables and illustrations allow the reader speedy access to precise data

Crime, Punishment, and Responsibility Rowan Cruft,Matthew H. Kramer,Mark R. Reiff,2011-07-14 For many years Antony Duff has been one of the world s foremost philosophers of criminal law This volume collects essays by leading

criminal law theorists to explore the principal themes in his work In a response to the essays Duff clarifies and develops his position on central problems in criminal law theory Some of the essays concentrate on the topic of criminalization That is they examine what forms of conduct including attempts offensiveness and negligence can aptly qualify as criminal offences and what principled limits if any should be placed on the reach of the criminal law Several of the other essays assess the thesis that punishment is justifiable as a form of communication between offenders and their community Those essays examine the presuppositions about the nature and function of community and about the moral structure of atonement that must be embraced if communication is to be a primary role for punishment The remaining essays examine the nature and limits of responsibility in the law as they engage with philosophical debates over moral luck by investigating the ways in which the law can legitimately hold people responsible for events that were not within their control These chapters tie the first and third parts of the book together as they explore the relationship between the principles that determine a person's responsibility and the principles that determine which types of actions can appropriately be criminalized Finally Duff responds with comments that seek to defend and clarify his views while also acknowledging the correctness of some of the critics objections

National Criminal Justice Thesaurus, 1980 Civil Liability Arthur William Lamb, Massachusetts Criminal Justice Training Council, 1988 **The Criminal Justice System and Health Care** Charles A. Erin, Suzanne Ost, 2007 This book examines questions of medical accountability and ethics It analyses how the criminal justice system regulates health care practice and to what extent it can and should be used as a tool to resolve ethical conflict in health care For most of the twentieth century criminal courts were engaged in matters relating to medicine principally as a forum to resolve ethical controversies over the sanctity of life However the judiciary approached this function with reluctance and a marked tendency to defer to the medical profession to define what constituted ethical and thus lawful conduct However over the past 25 years criminal courts have increasingly been drawn into these types of question and the criminal law has become a major actor in the resolution of ethical conflict The trend to prosecute for aberrant professional conduct or medical malpractice and the role of the criminal process in medicine has been analytically neglected in the UK There is scant literature addressing the appropriate boundaries of the criminal process in resolving ethical conflict the theoretical legal analysis of the law's relationship with health care or the practical impact of the criminal justice system on professionals and the delivery of health care in the UK This volume addresses these issues via a combination of theoretical analyses and key case studies drawing on the experiences of other carefully selected jurisdictions It places a particular emphasis on the appropriateness of the involvement of the criminal justice system in health care the limitations of this developing trend and solutions to the problems that arise from it

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