WILMINGTON UNIVERSITY
COLLEGE OF SOCIAL & BEHAVIORAL SCIENCES
BASIC COURSE INFORMATION

COURSE TITLE: Workplace Law and Liability

COURSE NUMBER: MAJ 6607

I. RATIONALE:

In the litigish society in which the criminal justice professional operates on a daily basis it is essential that practitioners are aware of the issues concerning workplace law and liability.

II. MAJOR INSTRUCTIONAL GOALS:

GOAL A:
Students will demonstrate an understanding of the scope and impact of civil liability.

   Learning Outcomes: The student will:
   
   A-1 Analyze and discuss the incidence of civil suits.
   A-2 Compare the pros and cons of civil liability.
   A-3 Examine the civil litigation process.

GOAL B:
Students will demonstrate an understanding of liability laws.

   Learning Outcomes: The student will:
   
   B-1 Analyze and discuss the fundamentals of state tort law.
   B-2 Analyze and discuss the fundamentals of federal liability law.
   B-3 Analyze and discuss the Civil Rights Act of 1871.
   B-4 Examine and discuss municipal liability and 42 U.S.C. Section 1983 claims.
   B-5 Analyze and discuss the various defenses to 42 U.S.C. Section 1983 law suits.

GOAL C:
Students will demonstrate an understanding of criminal justice issues that result in civil liability claims against the agency.

   Learning Outcomes: The student will:
   
   C-1 Examine the use of excessive, deadly and non-deadly force and the standards governing its use.
   C-2 Assess and discuss the liability associated with abandoning citizens in dangerous places and situations.
   C-3 Examine the shifting concepts of police civil liability.
   C-4 Discuss the failure to exercise good judgement, breach of duty and failure to protect.
C-5 Examine and discuss how a relationship with the media/press can impact a civil liability claim against an agency.

**GOAL D:**
Students will demonstrate an understanding of key negligence issues that result in civil liability claims against the agency.

**Learning Outcomes:** The student will

D-1 Analyze and discuss the following types of liability: failure to supervise, failure to train and failure to discipline.
D-2 Analyze and discuss negligent hiring, retention and promotion.
D-3 Analyze and discuss various situations where negligence liability may arise (use of equipment, failure to protect and negligence in responding to calls for service).
D-4 Analyze and discuss the Public Duty Doctrine.
D-5 Examine and discuss the term “special relationships” as a legal definition in the context of legal liability cases.

**GOAL E:**
Students will demonstrate an understanding of the analysis of the impact of legal decisions on issues confronting administrators and managers.

**Learning Outcomes:** The student will

E-1 Examine and discuss Monroe v. Pope, and other pertinent case law relating to municipal liability and immunity.
E-2 Analyze and discuss individual and official capacity law suits including the issues covered in Brandon v. Holt and Will v. Michigan State Police.
E-3 Discuss policy, custom and policy makers in suits and cases covered by issues in City of Oklahoma v. Tuttle and McMillian v. Monroe County, Alabama.
E-4 Analyze and discuss the landmark cases concerning “use of force” issues including Tennessee v. Garner and City of Los Angeles v. Helby.

**GOAL F:**
Students will develop advanced written and verbal communication skills.

**Learning Outcomes:** The student will

F-1 Utilize professional writing skills to analyze and cite appropriate sources (e.g. APA format) to express and convey empirical research.
F-2 Research, construct, and deliver professional presentations using a variety of communication tools and techniques
F-2 Examine and interpret the results of research on a legal case/ and/or topic presented in class.