



## RCJU305 – Civil Liabilities Master Course Syllabus

### **Course Overview (QM Standards 1.2)**

Civil Liability is an 8 week online course. Online courses, also referred to as "Internet" or "Web-based" courses, offer students an excellent opportunity to pursue their educational goals at times and locations convenient to them. These courses are offered over the Internet, and do not require on-campus attendance.

The course content resides on the course delivery system WV ROCKS Web page. A textbook is required for reading assigned chapters and additional resources will be listed to enhance learning for the course. You can log in and do your courses work according to your schedule, as long as course deadlines are met. You will communicate with your instructor and classmates through the course communication tools: email, discussion boards, and perhaps chat sessions.

To enroll in this course you must have access to a computer with an Internet connection and an email account. A broadband internet connection is preferred. If you do not have a computer, public libraries and on-campus public use areas may be available for you to complete the course work. You will **NOT** be able to complete this course by using only an I Phone.

All assignments (discussion postings, quizzes, and essay questions) have individually designated deadlines for their completion, after which they will not be accepted. There will be no class meetings as such, since student mastery will be assessed through the completion of the discussion postings, quizzes, and essay submissions. However, there is no such thing as an inappropriate question. All students should feel free to join me on line doing office hours, or use telephone or email me if you have any questions.

At the beginning of the course please familiarize yourself with the learning management system. Follow the get started instructions on the learning management system and take a systems tour. Next, read the course introduction and course syllabus that will detail the weekly assignments that include chapter readings, posting on discussion boards, quizzes and answering short essay questions. Details regarding these assignments will be explained later in the syllabus and posted on the delivery system. The grading system will also be detailed in the course syllabus.

Sometimes there are issues with internet connections. Please develop a back-up plan in the event your primary internet connection is down. Identify a secondary internet source in the event your primary internet connection develops a problem.

The course material will be presented in weekly modules, 1 through 8. The student week will consist of the hours from Sunday 11:59 p.m. hours until the following Sunday, 11:59 p.m. Each new week a learning module will be posted Sunday at 11:59 p.m. This weekly module will list the learning objectives, course material to be used and assignments for the week. All assignments must meet the deadline for all submissions on the following Sunday, at 11:59 p.m. At that time the assignment will be closed and next week's assignment will be open for submissions.

Each week the module will require the student to: read the assigned chapter and related content, an original posting to a discussion board, take the chapter quiz and answering the essay questions.

**Be alert to the Sunday evening 11:59 p.m. deadline as late assignments cannot be accepted.**

This is an 8 week course and maintains a strict learning schedule. It is imperative you maintain the schedule for completion of these assignments as these assignments adhere to deadlines. Late assignments will not be accepted. Each week there will be three required assignments to complete. Each week the assignments will be available beginning on Sunday, 11:59 p.m. and you will have until the following Sunday, 11:59 p.m. to complete these assignments. Keep in mind it is better to complete to your assignments early in the event of internet disruption.

Each week you will post a response to a discussion question followed by a response to two other students' postings. Each week you will be required to answer an essay question that will be emailed to the instructor as an attachment. The third assignment is a chapter quiz. These assignments are which your final grade will be tabulated from.

**Course description:**

This course addresses the evolution and restriction of prisoner rights, custodial rights, civil liability and Section 1983 actions for violations of constitutional rights, excessive force claims, failure to train, failure to screen, deliberate indifference, medical care, civil liability and the use of force, civil liability for claims of failure to protect and for in police custody, prison conditions, liability and wrongful custodial deaths, liability issues surrounding searches and seizure issues and segregation, supervisor liability, and civil liability and the impact on corrections and law enforcement. Actions undertaken under the color of state law will be examined with scrutiny.

**Course Goals and Objectives:**

- Provide students with an explanation for trends in police and correctional litigation.
- Provide students with an explanation of civil and criminal liability potential of criminal justice personnel filed under federal statutes.
- Provide students with an explanation of general legal principles and standards that are applied under state tort law and the Federal Tort Claims Act.
- Provide students with an explanation of the historical development of a 1983 Federal Court action.
- Provide students with an explanation of potential liability issues for administrators in directing employees of criminal justice agencies.
- Provide students with a recognition of and identifying liability regarding failure to train.

- Provide students with an explanation of liability issues associated with personnel and employment.
- Provide students with the varying standards which apply to allegations of excessive force.

### **Pre-Requisites (QM Standard 1.6)**

No pre-requisites are required for this course.

### **Minimum Technical Requirements and Online Resources (QM Standards 1.5 & 1.7)**

In addition to a web browser (preferable Firefox) that is Blackboard compatible, you will need the following software in order to complete the activities in this class:

1. Word processing package capable of reading and creating .doc, .docx or rich text formatted (rtf) documents.
2. *Adobe Acrobat Reader*: If you do not have *Adobe Acrobat Reader*, you can download it free from <http://www.adobe.com/products/acrobat/readstep.html>
3. PDF Creator Software: If you are using a MAC or do not have software capable of saving a file as a .doc or .docx file and do not have the capability on your campus to print files to PDF, you can download a free version of *CutePDF* at <http://www.cutepdf.com/Products/CutePDF/writer.asp> This software installs a virtual printer on your PC that allows you to print files to the PDF format.
4. Virus Protection Software: This course requires you to download and upload files from your PC. Virus protection software protects your computer and my computer.

**Online Resources:** This course makes use of many online resources. I have made every effort to make sure the links I have are up-to-date. However, due to the changing nature of the web, you may find that a resource is temporarily unavailable or has been removed. If this should happen, please send me an email and I will find an alternative resource or modify the assignment accordingly.

### **Instructor Information (QM Standards 1.8 & 5.3)**

Individual instructors complete this information.

#### **Virtual Office Hours**

I am available in my virtual office by appointment only. Send me an email to set up an appointment.

#### **Personal Commitment**

My personal commitments to you as a participant include:

I will reply to course mail messages within 24 hours;

I will read all discussion postings and will reply where appropriate within 3 days

I will acknowledge my receipt of every course mail message immediately upon reading it. If I am unable to respond to the request or concern at the time of initial reply, I will give you an estimated time for my next reply.

If I am going to be away from the course space for more than a day or two, I will send a message to you indicating the length of my absence.

I will regularly update information regarding due dates in the course announcements.

### **Optional/Required Course Materials (QM Standard 4.6)**

You will find your required textbook information in the course catalog at <http://ilearn-wv.rocks.wvnet.edu>. All other required readings and videos are included in each of the modules.

### **Grading Policy (QM Standard 3.2)**

Each module consists of a series of assignments, discussions and/or quizzes, each having specific point values. For each assignment or discussion you will be given the rubric or grading criteria from which you will be evaluated.

Discussions (8*20 points)	160
Essays (8*20 points)	160
Quizzes (3*20 points)	160
<b>Total:</b>	480

The grading scale is as follows:

**A** 450 - 480 points

**B** 420 - 449 points

**C** 390 - 419 points

**D** 360 - 389 points

**F** 388 - points and below

<b>Assessment</b>	<b>Point Value</b>
M1A1: Module 1 Discussion	40
M1A2: Module 1 Quiz	20
M1A3: Module 1 Essay	20
M2A1: Module 2 Discussion	20
M2A2: Module 2 Quiz	20
M2A3: Module 2 Essay	20
M3A1: Module 3 Discussion	20
M3A2: Module 3 Quiz	20
M3A3: Module 3 Essay	20

M4A1: Module 4 Discussion	20
M4A2: Module 4 Quiz	20
M4A3: Module 4 Essay	20
M5A1: Module 5 Discussion	20
M5A2: Module 5 Quiz	20
M5A3: Module 5 Essay	20
M6A1: Module 6 Discussion	20
M6A2: Module 6 Quiz	20
M6A3: Module 6 Essay	20
M7A1: Module 7 Discussion	20
M7A2: Module 7 Quiz	20
M7A3: Module 7 Essay	20
M8A1: Module 8 Discussion	20
M8A2: Module 8 Quiz	20
M8A3: Module 8 Essay	20
Total Points	<b>480</b>

## **Module Objectives and Assessments (QM Standard 2.2, 2.3, 2.4, 2.5, 3.4, 3.5, 5.1)**

### **Module 1**

After you have complete the readings and content for this module you will be able to:

- Navigate the online classroom. [M1A1: Course Introduction Discussion]
- Explain general trends in police and correctional litigation. [M1S1, M1A3]
- Define and explain key terms, concepts and knowledge of civil liability. [M1A1, M1A2, M1A3]
- Identify current trends in police and correctional litigation. [M1A1, M1A2]

### **Module 2**

After you have complete the readings and content for this module you will be able to:

- Identify and explain civil and criminal liability of criminal justice personnel filed under federal statutes. [M2S1, M2A2]
- Define and explain the key concepts of tort. [M2A1]
- Define and explain key terms, concepts and knowledge of civil liability. [M2A2]
- Identify and explain liability aside from tort cases.[M2A1]
- Define proximate cause and possible legal defenses to tort negligent cases. [M2A1]

### **Module 3**

After you have complete the readings and content for this module you will be able to:

- Explain general legal principles and standards that are applied under state tort law and the Federal Tort Claims Act. [M3S1, M3A3]
- Identify and explain four elements necessary to prove negligence in a tort claim. [M3A2]
- Define and explain key terms, concepts and knowledge of civil liability under State and Federal Tort Law. [M3A3]
- Identify and explain areas of potential negligence. [M3A1]

#### **Module 4**

After you have complete the readings and content for this module you will be able to:

- Explain the history of the 1983 action and define the essential elements. [M4S1, M4A1]
- Identify and explain remedies under a 1983 action. [M4A3]
- Define and explain key terms, concepts and knowledge of civil liability and Federal Law. [M4A2]

#### **Module 5**

After you have complete the readings and content for this module you will be able to:

- Identify and explain supervisory liability regarding employees. [M5S1, M5A1]
- Identify and explain the seven theories of supervisory liability. [M5A2]
- Explain and define key terms relating to administrative and supervisory liability. [M5A3]

#### **Module 6**

After you have complete the readings and content for this module you will be able to:

- Identify and analyze the liability framework for failure to train including criteria for proving deliberate indifference. [M6S1, M6A1]
- Identify the most common failure to train cases. [M6A3]
- Define and explain key terms relating to liability for failure to train. [M6A2]

#### **Module 7**

After you have complete the readings and content for this module you will be able to:

- Define and explain sexual harassment. [M7S1, M7A1]
- Explain liability issues related to the Americans with Disability Act. [M7A2]
- Define and explain key terms relating to concepts and knowledge of labor relations, liability and discipline. [M7A3]

#### **Module 8**

After you have complete the readings and content for this module you will be able to:

- Define and explain the varying standards which apply to allegations of excessive force. [M8S1, M8A1]
- Identify and explain general trends in excessive use of force cases. [M8A1]
- Recognize common areas of litigation for police officers. [M8A3]
- Define and explain key terms, concepts and knowledge of excessive use of force. [M8A2]