



***Supervisory Liability Issues for the Criminal Justice Manager (16 hours)***  
***Darrell L. Ross, Ph.D.***  
***May 25 & 26, 2022***  
***Valdosta State University—Campus Police Department***  
***GACP Executive Training Approved***

**Course Description**

In light of several high-profile incidents, civil litigation incurred by criminal justice entities continues to be a paramount concern for administrators and supervisors. Annually, thousands of lawsuits are filed against a criminal justice agency claiming that supervisors failed in the performance of their supervisory responsibilities. While supervisors may complete leadership and supervision training courses, completing a supervisory liability course is rare.

This 16-hour course, examines the supervisory liability issues facing criminal justice administrators and supervisors (police and corrections). Topics address the liability potential of managerial decision making, policy implications, supervising employees and operations, managerial responsibilities, training issues, legal standards of managerial performance, and legal theories of supervisory liability. The course assists new and experienced supervisors in identifying potential liability risk exposure of their department in order to build a formidable defense against future civil litigation.

The goal of the course is to assist the criminal justice organization to be in the best position to defend future litigation. Discussion will focus on individual managers' liability responsibility when making decisions in hiring, firing, training, directing, disciplining, terminating, investigating and evaluating employees. The discussion addresses an overview of U.S. Supreme Court decisions, lower court applications, the mechanics of a federal lawsuit naming an administrator/supervisor as defendant, defenses to plaintiff's strategies of attack, and officer initiated civil litigation. Participants will learn strategies for reducing civil litigation. Case analysis and organizational case studies will be examined.

**Course Objectives**

- Describe and explain the core responsibilities of administrators
- Analyze the anatomy of §1983 litigation
- Describe various plaintiff strategies of attack with regard to supervisory civil litigation
- Describe the components necessary to assert a claim of qualified immunity
- Describe the impact of the Violent Crime Control Act and Law Enforcement of 1994, U.S.C., Section 14141 and Consent Decrees
- Examine the impact of Title 18, Section 241 & 242 and liability issues
- Examine the United States Supreme Court cases addressing potential administrative liability
- List and describe the basic eight theories of administrative liability
- Describe the liability issues surrounding claims of sexual harassment
- Examine personnel legal issues and potential supervisor liability
- Identify the top 15 frequently litigated areas in law enforcement
- Describe the various techniques of risk management and how to implement them
- Describe the legal standards in implementing agency policies and decision making
- Describe various pro-active steps to reduce and/or control civil liability within their organization
- Describe methods for implementing an early intervention system
- Describe the elements in performing use of force investigations Apply liability standards and principles to case studies
- Design strategies for defending civil lawsuits naming the department, supervisors, and officers and preparing for deposition and court testimony