



## Course Syllabus: **Civil Liability for the Criminal Justice Professional**

College of Health Sciences and Human Services  
CRJU 4203-X10  
FALL 2023

### **Contact Information**

Instructor: Laura J Estrada

Office hours: MWF 10:00 AM – 11:00 AM (Online. Please email, and I will respond immediately during these hours).

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### **Course Description**

The purpose of this course is to examine the growing prevalence of civil liability within the U.S. Criminal Justice System. This course will explore civil liability issues for both U.S. law enforcement and corrections officers. This course will cover the increase in civil litigation in the U.S., the distinctions between civil and criminal law, and the primary foundations for civil liability under both state and federal law, as well as the damages that may be recovered. This course will also cover defenses to civil liability within the criminal justice system. Particular emphasis will be placed on lawsuits based upon 42 U.S.C. Section 1983, and the use of force in both law enforcement and corrections. The course will teach students to integrate this knowledge through examination of detailed case studies of the actions of both law enforcement and corrections professionals in the U.S. Criminal Justice System.

### **Textbook & Instructional Materials**

Ross (2023). Civil Liability in Criminal Justice (Eighth Edition) Routledge, ISBN: 9780367768669 (available in the campus bookstore or online, but note online orders will take significantly longer to receive for this particular book – please contact with me any questions or issues)

### **Student Handbook**

Refer to: Student Handbook-2021-2022

Academic Misconduct Policy & Procedures

Academic Dishonesty: Cheating, collusion, and plagiarism (the act of using source material of other persons, either published or unpublished, without following the accepted techniques of crediting, or the submission for credit of work not the individual's to whom credit is given). Additional guidelines on procedures in these matters may be found in the Office of Student Conduct.

[Office of Student Conduct](#)

### **Grading**

Course Grade – Two online exams, and one final exam will be given. In addition, you will have weekly critical thinking questions, and a PowerPoint or Prezi presentation assignment this semester.

Table 1: You will be graded as follows:

Assignments	Points
Exam I	15%
Exam II	15%
Critical Thinking Questions	20%
Presentation	20%
Participation	10%
Final Exam	20%
Total Points	100%

Table 2: Total points for final grade.

Grade	Points
A	90 to 100
B	80 to 89
C	70 to 79
D	60 to 69
F	Less than 60

### **Critical Thinking Questions**

You will have a critical thinking question each week, for the first half of the semester. You must respond to the question, then respond to two of your classmates' questions, in order to receive full credit. Participation is mandatory. Please do not hesitate to ask if you have questions, comments, or concerns. Some topics will be taking from "today's" news and issues.

### **Exams**

Two exams will be given during the semester, as well as a final exam. Exams will cover material from the assigned readings and critical thinking questions (for which topics covered may not be in the book, but they may be taken from the critical thinking questions), up to that point in the course. Any material contained in the assigned readings may be tested. Likewise, any material sent to your D2L email, whether or not contained in the assigned readings, may be tested. The final exam will cover the semester, but you will receive a study sheet for the final

so you will know what to study. Make-up exams for Exam I and II will only be offered in extreme circumstances, at the professor's discretion.

### **Projects Required**

The second half of the semester will be spent completing a PowerPoint online "presentation." Each presentation will cover a special topic in civil liability, as chosen by the student, or assigned by the professor. You will be given ample time to gather information for this assignment, as well as instructor input and guidance. The task for each student is to research the assigned material or topic and present these findings via PowerPoint presentation. The presentation should cover all major concepts of the material, as well as any relevant case law. I will provide you with a sample at the time of the assignment.

### **Final Exam**

The final exam will be available on Monday, December 4<sup>th</sup> at 7:00 AM, and availability ends December 9<sup>th</sup> at 11:50 PM @11:50 PM. The final exam makes up 20% of your grade for this course.

### **Late Work**

Students are expected to submit assignments on or before the due date. Late assignments will not be accepted unless prior arrangements have been made with the professor. Otherwise, students will not receive any credit for an assignment submitted after the due date.

### **Make Up Work/Tests**

Makeup assignments and/or tests will only be allowed in extreme circumstances, and with the proper documentation. You are responsible for letting the professor know if you have any extenuating circumstances before the due date of the assignment/exam. In the event of an extenuating circumstance such as an illness, death in the family, etc., please get in touch with me as soon as possible. Assignments and deadlines may be modified on a case-by-case basis. Verifiable documentation of the circumstance may be required. The more quickly you let me know what is going on, the more options I will have for allowing you to complete the course.

### **Desire-to-Learn (D2L)**

Extensive use of the MSU D2L program is a part of this course. Each student is expected to be familiar with this program, as it provides a primary source of communication regarding assignments, examination materials, and general course information. You can log into [D2L](#) through the MSU Homepage. If you experience difficulties, please contact the technicians listed for the program or contact your instructor. Remember, you are responsible for checking D2L email for any possible course-related information, or changes/updates to the course.

## **Attendance**

Students are expected to participate in weekly assignments. You are also responsible for checking your D2L email at least weekly to receive study materials, changes to the course, etc. There will be occasions where I will ask that you respond to my email. Failure to do so will result in a lower participation grade for the course. Failure to check your D2L mail will result in missing assignments.

## **Online Computer Requirements**

Taking an online class requires you to have access to a computer (with Internet access) to complete and upload your assignments. It is your responsibility to have (or have access to) a working computer in this class. ***Assignments and tests are due by the due date, and personal computer technical difficulties will not be considered reason for the instructor to allow students extra time to submit assignments, tests, or discussion postings.*** Computers are available on campus in various areas of the buildings as well as the Academic Success Center. **Your computer being down is not an excuse for missing a deadline!** There are many places to access your class! Our online classes can be accessed from any computer in the world which is connected to the internet. Contact your instructor immediately upon having computer trouble. If you have technical difficulties in the course, there is also a student helpdesk available to you. The college cannot work directly on student computers due to both liability and resource limitations, however, they are able to help you get connected to our online services. For help, log into [D2L](#).

## **Change of Schedule**

A student dropping a course (but not withdrawing from the University) within the first 12 class days of a regular semester or the first four class days of a summer semester is eligible for a 100% refund of applicable tuition and fees. Dates are published in the Schedule of Classes each semester.

## **Refund and Repayment Policy**

A student who withdraws or is administratively withdrawn from Midwestern State University (MSU) may be eligible to receive a refund for all or a portion of the tuition, fees and room/board charges that were paid to MSU for the semester. HOWEVER, if the student received financial aid (federal/state/institutional grants, loans and/or scholarships), all or a portion of the refund may be returned to the financial aid programs. As described below, two formulas (federal and state) exist in determining the amount of the refund. (Examples of each refund calculation will be made available upon request).

## **Services for Students with Disabilities**

In accordance with Section 504 of the Federal Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, Midwestern State University endeavors to make reasonable accommodations to ensure equal opportunity for qualified persons with disabilities to participate in all educational, social, and recreational programs and activities. After notification of acceptance, students requiring

accommodations should make application for such assistance through Disability Support Services, located in the Clark Student Center, Room 168, (940) 397-4140. Current documentation of a disability will be required in order to provide appropriate services, and each request will be individually reviewed. For more details, please go to [Disability Support Services](#).

## **College Policies**

Campus Carry Rules/Policies

### **Campus Carry Syllabus Statement:**

Senate Bill 11 Handgun Policy -Senate Bill 11 passed by the 84th Texas Legislature allows licensed handgun holders to carry concealed handguns on campus, effective August 1, 2016. Areas excluded from licensed concealed carry are appropriately marked, in accordance with state law (Penal Code 30.06 signage). Please note, open carry of handguns, whether licensed or not, and the carrying of all other firearms (rifles, shotguns, etc.), whether open or concealed, are prohibited on campus. For more information regarding campus carry, please refer to the University's webpage at: [Campus Carry Rules and Policies](#)

### **Smoking/Tobacco Policy**

College policy strictly prohibits the use of tobacco products in any building owned or operated by WATC. Adult students may smoke only in the outside designated-smoking areas at each location.

### **Alcohol and Drug Policy**

To comply with the Drug Free Schools and Communities Act of 1989 and subsequent amendments, students and employees of Midwestern State are informed that strictly enforced policies are in place which prohibits the unlawful possession, use or distribution of any illicit drugs, including alcohol, on university property or as part of any university-sponsored activity. Students and employees are also subject to all applicable legal sanctions under local, state and federal law for any offenses involving illicit drugs on University property or at University-sponsored activities.

### **Active Shooter**

The safety and security of our campus is the responsibility of everyone in our community. Each of us has an obligation to be prepared to appropriately respond to threats to our campus, such as an active aggressor. Please review the information provided by MSU Police Department regarding the options and strategies we can all use to stay safe during difficult situations. For more information, visit [MSUReady – Active Shooter](#). Students are encouraged to watch the video entitled "Run. Hide. Fight." which may be electronically accessed via the University police department's webpage: ["Run. Hide. Fight."](#)

## **Grade Appeal Process**

Students who wish to appeal a grade should consult the Midwestern State University [Undergraduate Catalog](#)

**Notice**

Changes in the course syllabus, procedure, assignments, and schedule may be made at the discretion of the instructor.

**Course Schedule:**

Because this is an online course, you are responsible for keeping up with due dates. Assignments generally open on Monday morning, and close on either Saturday or Sunday evening at 10 minutes before midnight. There are occasional exceptions to this, so please be mindful of all due dates. I often post messages online and in your D2L email. I am also available to answer any questions you may have about the course, and I do have an office on campus. When a question arises, you may contact me at [laura.estrada@msutexas.edu](mailto:laura.estrada@msutexas.edu), or call my office phone (listed at the top of the syllabus). The class schedule is subject to change without notice.

## Course Schedule

Week	Assignment	Due Date
Week 1 8/28 to 9/1	Read syllabus. Email professor with questions. DO "Introduce Yourself Assignment" (Read Ross Ch. 1, Overview of Civil Liability)	Introduce yourself due no later than 11:50 PM, 9/3
Week 2 – 9/4 to 9/9	Critical Thinking Question (CTQ) Available (Read Ross, Ch. 2 "Foundations for Liability) <b>*No Classes on 9/4</b>	CTQ due no later than 11:50 PM, 9/10
Week 3 – 9/11 to 9/15	Critical Thinking Question #2 Available (Read Ross, Ch. 3. Civil liability under State and Federal Tort Law)	CTQ due no later than 11:50 PM, 9/17
Week 4 – 9/18 to 9/23	Critical Thinking Question #3 Available (Read Ross, Ch. 4 Civil Liability and Federal Law: Section 1983 litigation)	CTQ due no later than 11:50 PM, 9/24
Week 5 – 9/25 to 9/30	Re-read Ch. 1, 2, 3, 4 for upcoming exam I	
Week 6 – 10/2 to 10/7	Exam I: Chapters 1, 2, 3, and 4 *Available online 10/2 to 10/7 (Read Ross Ch. 5 Defenses to Civil Litigation and Risk Management)	Exam I Closes 10/7 at 11:50 PM
Week 7 – 10/9 to 10/14	Critical Thinking Question #4 Available (Read Ross, Ch. 7, Liability for Failure to Train)	CTQ due no later than 11:50 PM, 10/15
Week 8 – 10/16 to 10/21	Critical Thinking Question #5 Available (Read Ross, Ch. 9, Personnel Issues and Liability)	CTQ due no later than 11:50 PM, 10/22
Week 9 – 10/23 to 10/28	Critical Thinking Question #6 Available (Read Ross, Ch. 11, Section 1983 & Correctional Issues)	CTQ due no later than 11:50 PM, 10/29
Week 10 – 10/30 to 11/4	Presentation topic instructions sent via D2L email. Re-read chapters 7, 9, 11 for upcoming Exam II	It is very IMPORTANT that you read and respond to your email this week.
Week 11 – 11/6 to 11/11	EXAM I available 11/6 – 11/11 online.	Exam II closes at 11:50 PM on 11/11
Week 12 – 11/13 to 11/18	Work on presentation	Work on Presentation
Week 13 – 11/22 to 11/25	Work on Presentation – Holiday 11/22 through 11/25	Holiday 11/22 – 11/25

Week	Assignment	Due Date
Week 14 – 11/27 to 12/2	Work on Presentation. <b>Final presentation due 12/3 @11:50</b>	Final presentation due 12/3 @11:50 (No late papers accepted)
Week 15 – 12/4 to 12/8	<b>Final EXAM</b> open available online 12/4 – 12/9 (Saturday)	<b>Final EXAM due 12/9 @ 11:50 PM</b>
12/8	Last day of classes	
12/16	Commencement	

Important dates to remember:

August 28, 2023: Classes Begin.

September 4, 2023: Labor Day, no classes.

September 25, 2023: Deadline for graduation (December grads).

October 2, 2023: Deadline for graduation (May grads).

October 30, 2023: Last day for a "W" by 4 PM.

November 21, 2023: Thanksgiving Holiday begins at 10:00 PM.

November 27, 2023: Classes resume.

December 8, 2023: Last day of classes.

December 9, 2023: Finals begin.

December 16, 2023: Commencement.