Supervisor Liability

Course Purpose / Objectives

In this course, police supervisors will learn to understand what types of police behavior will most likely spawn lawsuits. Supervisors will learn that constitutional rights' violation suits called “1983 actions” (short for 42 U.S.C. § 1983) subject officers and their departments to the most liability. Attendees also will learn how to make sound hiring decisions; how to document and discipline officers for misconduct; and the importance of proper officer training. Moreover, supervisors will learn what leadership behaviors will reduce liability and protect the agency from all types of lawsuits. Attendees will learn what constitutes a hostile work environment; the importance of avoiding retaliatory actions against officers; and effective ways to deal with “gypsy” cops. This is a dynamic class in which the instructor uses real-life case example and video to enhance students’ understanding of legal concepts.

- Police constitutional liability: attendees will learn about the history of federal court actions, how courts decide summary judgment motions and what constitutes qualified immunity.
- Negligent hiring: not everyone is cut out to be a police officer. Attendees will learn how to legally screen out unfit applicants to avoid discrediting their departments and negligent-hire lawsuits.
- Negligent retention/supervision: just as some people should not be hired to be officers, some should not be retained. Attendees will learn how to legally deal with the few bad apples.
- Negligent training: courts have long held that departments have a duty to properly train officers in all aspects of their jobs. Learn how to ensure that training needs are met to avoid negligent-training suits.
- Leadership skills that reduce liability: courts sometimes hold supervisors accountable for a subordinate’s actions. Learn how leading by example, documenting performance and other techniques will reduce liability.
- Performance appraisals: Learn how to use this vital tool to establish an officer’s fitness for duty. Learn how documenting the right things can establish an agency’s right to discipline or dismiss an officer.
- Police behavior that generates lawsuits: there is a trend in society to sue the police and ask questions later. Learn what behaviors commonly subject officers and agencies to liability.
- Sexual harassment in law enforcement agencies: Learn what behavior in this area will subject departments to liability and how to discourage such behavior in the first place.
- Dealing with the injured or disabled officer: some employees may be entitled to reasonable accommodations by their departments. Learn how to make these determinations to avoid discrimination lawsuits.
- Avoiding retaliation suits: political retaliation and retaliation against whistleblowers can cost an agency considerable sums. Learn how the courts interpret retaliation and how to avoid such suits.
“Gypsy” cops: some cops get into trouble and resign from one department subsequently get hired by others. Learn how to spot this type of officer and how hiring him or her can be more trouble than he or she is worth.

Instructor

Timothy J. McClure
Lieutenant Timothy McClure served 20 years as a trooper, detective, first-line supervisor and commander for the Indiana State Police. After retirement he became the director of the Indiana State Ethics Commission, responsible for overseeing of state ethics laws for 30,000 state employees. Tim began law school at night while with the commission and graduated and passed the bar exam in 2007. After practicing law for a few years, Tim became an Indiana deputy attorney general and deputy director of the Medicaid Fraud Control Unit. He has 17 years of supervisory experience, where he gained a strong understanding of employment law and constitutional law. Tim has an undergraduate degree and a jurisprudence degree from Indiana University and a master’s degree in criminology from Indiana State University.

Dates:

1/9/2017 through 1/10/2017

Location:

Columbus, Ohio Division of Police Training Academy - 1000 North Hague Ave., Columbus, OH 43204-2121

Course Contact / Registration

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To Register visit www.patc.com