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WESTLAW內容介紹

1. WESTLAW資料庫架構與登入更新說明
2. 如何查詢檢索介紹
3. 檢索結果的判讀
4. 線上學習資料

Westlaw 涵蓋六大區域:

- Westlaw US 美國
- Westlaw UK 英國
- Westlaw EU Content 歐盟& 歐洲國家
- Westlaw Canadian Materials 加拿大
- Westlaw HK 香港
- Westlaw Australia 澳洲

Westlaw 涵蓋內容:

United States

第一手資料

- Legislation including:
 - United States Code (both annotated and un-annotated)
 - Code of Federal Regulations
 - Federal Register
 - All State Statutes
- Cases: All Federal and All States, fully cross-referenced from 1658

第二手資料

- Commentary including:
 - American Law Reports
 - American Jurisprudence
 - Corpus Juris Secundum
- Journals including:
 - Harvard Law Review
 - Chicago Journal of International Law
 - Yale Journal of International Law
 - Cornell Law Review
- US Uniform Laws Annotated

United Kingdom

- Statutes from 1267 (fully consolidated)
- Cases from 1865, including:
 - The Law Reports
 - Common Market Law Reports
 - Fleet Street Reports
 - Weekly Law Reports
- Journals including:
 - Criminal Law Review
 - International Arbitration Law Review
 - Civil Justice Quarterly
 - Intellectual Property Quarterly

Australia

- Cases from 1903, including:
 - Commonwealth Law Reports
 - Federal Law Reports
 - Federal Court Reports

見下頁繼續...

Westlaw 涵蓋內容:

European Union

- Comprehensive European Union Legislation
- Cases from 1954, including:
 - European Commercial Cases
 - European Patent Office Reports
 - European Human Rights Reports
- Journals including:
 - European Intellectual Property Review
 - European Human Rights Review
 - EU Focus

Hong Kong

- Cases from 1905, including:
 - Hong Kong Law Reports
 - Hong Kong Criminal Law Reports
- Journals:
 - Hong Kong Law Journal
 - Chinese Journal of International Law

Miscellaneous

- Black's Law Dictionary
- WTO & GATT Panel Decisions

Canada

- Canadian Statutes (Federal, Provincial and Territorial Statutes)
- Canadian Abridgement
- Canadian Cases from 1825
- Carswell Law Reports
- Federal Court Reports

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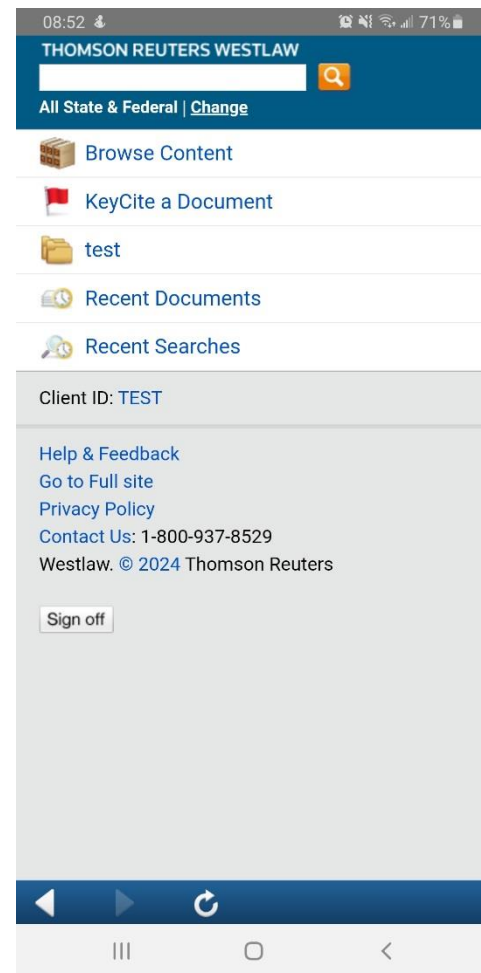
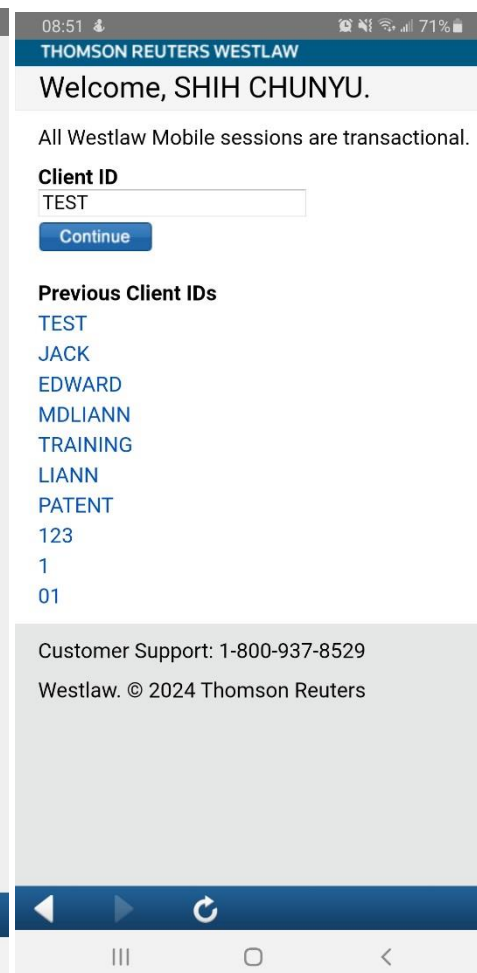
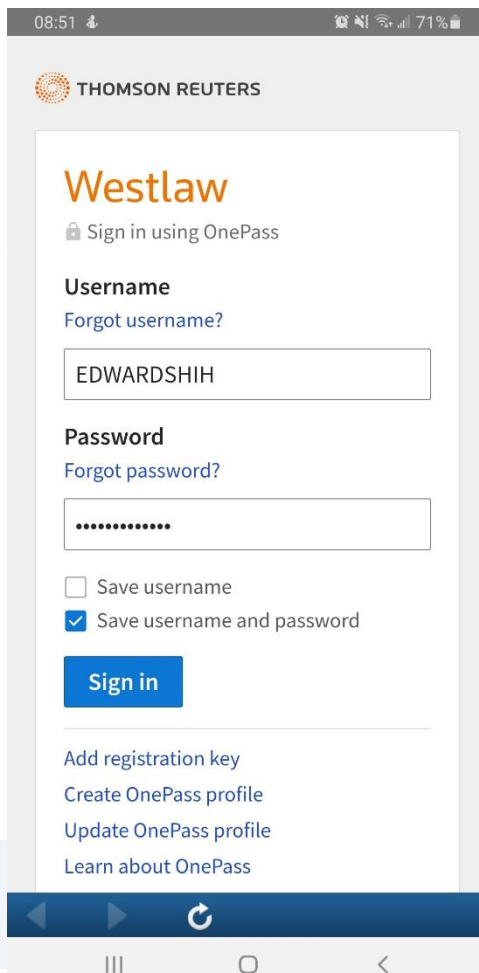
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使用平板與手機時瀏覽器請切換電腦版網站(非常重要)

1. 專屬WESTLAW APP
2. 要有個人帳號密碼
3. 簡單版介面

請參考以下手機截圖



CITATIONS介紹

Citation是指引文標注方式，**Citation Format**系統編號。

•範例：

•**386 US 487**

•**35 USCA 282**

•**109 HARV L REV 125**

•**US PAT 7255627**

CITATIONS介紹

386



第386冊

US



美國最高法院判決書

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第487頁

CITATIONS介紹

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TITLE 35

USCA



美國法典

§ 282



第282條

CITATIONS介紹

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第109冊

HARV L REV



哈佛Law Review期刊

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第125頁

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美國

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專利法

7255627



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News and Insight from REUTERS



Wash. top court: anti-SLAPP law covers law firm's probe of bias complaint against AG

1/28/2021 | REUTERS LEGAL

(Reuters) - The Washington Supreme Court in a 5-4 decision on Thursday said a law firm hired by the state attorney general's office to investigate a gay lawyer's bias complaint is immune from his lawsuit claiming its probe was fraudulent.

◀ 2 of 6 ▶ [Additional Practice Areas](#)

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查詢欄位可以接受的指令：

Best Way to Search

你可以輸入的指令如下：

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- 布林邏輯與連接詞
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- West Key Numbers
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can a municipality be held liable for civil rights violations by its employees

All State & Federal

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- Fifty State Construction Lien and Bond Law
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News and Insight from REUTERS

Facing fresh legal crisis, Robinhood has lawyers to spare

1/28/2021 | REUTERS LEGAL

(Reuters) - Robinhood Markets Inc has plenty to keep its lawyers busy. Good thing for the company, it also has plenty of lawyers.

5 of 6 Additional Practice Areas

Practice Areas

點查詢欄位右側“**All Federal**”選項：

查詢輸入的句子：can a municipality be held liable for civil rights violations by its employees

選擇各州法院、聯邦法院或上訴法院。

THOMSON REUTERS
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- U.S. Court of Federal Claims Cases
- U.S. Supreme Court Cases
- Form Finder
- Statutes & Court Rules
- Secondary Sources

News and Insight from REUTERS

U.S. Justice Department probes SpaceX after hiring discrimination complaint

1/28/2021 | REUTERS

(Reuters) - The U.S. Department of Justice is probing Elon Musk's rocket company SpaceX over whether the company discriminates against non-U.S. citizens in its hiring, according to court documents filed on Thursday.

1 of 6 Additional Practice Areas

Practice Areas

可選擇要以聯邦為主或以美國各州為主：

The screenshot displays the 'Jurisdiction' selection window in Westlaw CL. The window is titled 'Jurisdiction (Select up to 3)'. It features two main sections: 'All States' and 'All Federal'. The 'All States' section is highlighted with a green box and contains a grid of checkboxes for 51 jurisdictions, including all 50 states and the District of Columbia. The 'All Federal' section is also highlighted with a green box and contains checkboxes for 13 federal courts, including the Supreme Court, Courts of Appeals, District Courts, Bankruptcy Courts, Tax Court, and Military Courts. A vertical label '聯邦法院' (Federal Courts) is positioned to the right of the 'All Federal' section. Below the 'All States' section, there is a checkbox for 'Include Related Federal'. At the bottom of the window are 'Save' and 'Cancel' buttons. The background shows the Westlaw CL interface with a sidebar on the left and a news article titled 'Illinois judge denies bid to halt insurance row over biometric privacy suit coverage'.

51州區域

上訴法院(13個)

聯邦法院

進入查詢結果的畫面：

查詢輸入的句子： can a municipality be held liable for civil rights violations by its employees

15種類別資料列表(判決、法律、法規、行政命令、期刊、合約表格、法庭文件、訴訟要點、法庭審判命令KeyNumber)等。

VIEW:

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Jury Verdicts & Settlements	1,118
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All results	37,714

Overview (15)

Select all items | No items selected

Cases | [View all 218](#)

Morrison v. Horseshoe Casino
Court of Appeals of Ohio, Eighth District, Cuyahoga County. | August 20, 2020 | 167 N.E.3d 406 | 2020 WL 4876345 | 2020 -Ohio- 4131 | 108644

CIVIL RIGHTS — Arrest and Detention. Probable cause existed to arrest casino patron based upon report of alleged robbery, entitling contract security officer to immunity under § 1983.

...A **municipality** cannot be **held liable** under § 1983 on the basis of respondeat superior **liability**; rather, in order to be **held liable** for a constitutional **violation**, the **municipality's** policy must be the moving force behind the **civil rights violation**. 42 U.S.C.A. § 1983....

...78 **Civil Rights** 78III Federal Remedies in General 78 ◀ 1342 **Liability of Municipalities** and Other Governmental Bodies 78 1345 k. Acts of officers and **employees** in general; vicarious **liability** and respondeat superior in general....

...[¶ 10] In October 2016, Morrison and Artesia filed a complaint against the appellees, alleging causes of action for false arrest and detention, assault and battery, conversion, loss of consortium, **violation** of **civil rights** under 42 U.S.C. 1983, and **violation** of **civil rights** under 42 U.S.C. 1981. 1...

...The issue of whether an employer can be **held liable** under § 1983 for the actions of an **employee** usually arises in the context of **municipal liability** for the acts of its **employees**....

Peak Alarm Co., Inc. v. Salt Lake City Corp.
Supreme Court of Utah. | April 16, 2010 | 243 P.3d 1221 | 2010 WL 1507942 | 20080918

TORTS - Malicious Prosecution. Directed verdict in criminal case was not conclusive in **civil** case as to lack of probable cause for arrest and prosecution.

...78 **Civil Rights** 78III Federal Remedies in General 78 ◀ 1342 **Liability of Municipalities** and Other Governmental Bodies 78 1345 k. Acts of officers and **employees** in general; vicarious **liability** and respondeat superior in general....

...**municipal liability** under § 1983 through a deliberate indifference argument is a narrow one; the Supreme Court demands application of "rigorous standards of causation . . . to ensure that the **municipality** is not **held liable** solely for the actions of its **employee**." ...

...not have actual or constructive notice of alleged **violations** of alarm company **employee's** constitutional rights arising from allegedly defamatory remarks by police administrator, precluding **municipal liability** on a theory of deliberate indifference in § 1983 action; administrator's generalized criticism of alarm industry did not **violate** or his company, and alarm company **employee** failed to show any pattern of alleged tortious behavior that would put city on notice of repeated constitutional **violations**....

...§ 1983 as a basis for eight independent claims alleging **civil rights violations** under the First, Fourth, and Fourteenth Amendments to the U.S. Constitution....

Points of Law Found in Cases | [View all 10](#)

CIVIL RIGHTS
[78] 78 ◀ 1351(1) Governmental ordinance, policy, practice, or custom > In general

欄位呈現各類別的資料結果，查詢結果總筆數有37,714。

左邊列表選擇欲瀏覽的類別資料：

查詢輸入的句子：can a municipality be held liable for civil rights violations by its employees

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Jurisdiction: State 218 Commonwealth Puerto Rico Supreme Ct. Tribal Eastern Cherokee Trial Ct.

Date: All

Cases (218)

1 - 20 Sort by: Relevance

1. **Morrison v. Horseshoe Casino**
Court of Appeals of Ohio, Eighth District, Cuyahoga County. | August 20, 2020 | 157 N.E.3d 408 | 2020 WL 4876345 | 2020 -Ohio- 4131

...based upon report of alleged robbery, entitling contract

...for **liability**; rather, in order to be **held liable** for a **civil rights violation**. 42 U.S.C.A. § 1983....

...ties and Other Governmental Bodies 78 1345 k. Acts of

...alleging causes of action for false arrest and detention, S.C. 1983, and **violation of civil rights** under 42 U.S.C.

...in **employee** usually arises in the context of **municipal**

2. **Peak Alarm Co., Inc. v. Salt Lake City Corp.**
Supreme Court of Utah. | April 16, 2010 | 243 P.3d 1221 | 2010 WL 1507942 | 20080918

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...City officials did not have actual or constructive notice of alleged **violations** of alarm company **employee's** constitutional rights arising from allegedly defamatory remarks by police department's alarm administrator, precluding **municipal liability** on a theory of deliberate indifference in § 1983 action; administrator's generalized criticism of alarm industry did not defame **employee** or his company, and alarm company **employee** failed to show any pattern of alleged tortious behavior that would put city on notice of repeated constitutional **violations**...

... Mr. Howe used § 1983 as a basis for eight independent claims alleging **civil rights violations** under the First, Fourth, and Fourteenth Amendments to the U.S. Constitution....

3. **Gentry v. Robinson**
Supreme Court of Arkansas. | December 17, 2009 | 2009 Ark. 634 | 381 S.W.3d 788 | 08-1452

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§ 2:21.Public employees

Alabama Personal Injury and Torts ...Ray v. Judicial Correction Services, Inc., 270 F. Supp. 3d 1262, 1298 (N.D. Ala. 2017) (to present a viable § 1983 claim against **municipality**, plaintiff must show that **municipal** policy or custom was moving force behind injury; plaintiff cannot **hold municipality liable** under § 1983 merely because custom or policy made it more likely that constitutional **violation** would occur, but instead court must determine that a defendant's act was proximate cause of ultimate constitutional **violation**); McKenzie v. Talladega City Board of Education, 242 F. Supp. 3d 1244, 1253, 346 Ed. Law Rep. 383 (N.D. Ala. 2017)...

Police Misconduct as Municipal Policy or Custom

American Jurisprudence Proof of Facts 3d ...Prima facie case: Plaintiff seeking to **hold city liable** under § 1983 for acts of its **employees** can prove the existence of a **municipal** policy or custom with proof that: (1) a **municipal** official with final policymaking authority directly committed or commanded the constitutional **violation**; (2) a policy maker indirectly caused the misconduct of a subordinate **municipal employee** by acquiescing in a longstanding

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1. **Morrison v. Horseshoe Casino**
Court of Appeals of Ohio, Eighth District, Cuyahoga County | 108844 | 157 N.E.3d 406 | 2020 WL 4876345 | 2020 -Ohio- 4131

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4. “法院層級”
5. “關鍵字出現多寡”

RELATED DOCUMENTS

Secondary Sources

§ 2:21.Public employees

Alabama Personal Injury and Torts

...Ray v. Judicial Correction Services, Inc., 270 F. Supp. 3d 1282, 1298 (N.D. Ala. 2017) (to present a viable § 1983 claim against municipality, plaintiff must show that municipal policy or custom was moving force behind injury; plaintiff cannot hold municipality liable under § 1983 merely because custom or policy made it more likely that constitutional violation would occur, but instead court must determine that a defendant's act was proximate cause of ultimate constitutional violation); McKenzie v. Talladega City Board of Education, 242 F. Supp. 3d 1244, 253, 348 Ed. Law Rep. 383 (N.D. Ala. 2017)...

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Cases (218)

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...Prima facie case: Plaintiff seeking to **hold city liable** under § 1983 for acts of its **employees** can prove the existence of a **municipal** policy or custom with proof that: (1) a **municipal** official with final policymaking authority directly committed or commanded the constitutional **violation**; (2) a policy maker indirectly caused the misconduct of a subordinate **municipal employee** by acquiescing in a longstanding

可以調整資料的瀏覽方式：

The screenshot shows the Westlaw Classic interface. At the top, there's a navigation bar with 'TRAINING', 'Folders', 'History', 'Favorites', and 'Alerts'. Below that, the search bar contains the query 'can a municipality be held liable for civil rights violations by its employees' and 'All States'. The main content area displays search results for 'Cases (218)'. A green callout box points to the 'Cases Detail' button, listing three options: '1. 顯示案件名稱', '2. 顯示案件名稱、總結以及關鍵字', and '3. 顯示案件名稱、總結以及關鍵字段落'. Another green callout box points to the 'NARROW:' section, listing '78 Civil Rights' and '1342 Liability of Municipalities and Other Governmental Bodies', with a note that 'The route to municipal liability under § 1983 through a deliberate indifference argument is a narrow one; the Supreme Court demands application of "rigorous standards of culpability and causation . to ensure that the municipality is not held liable solely for the actions of its employee." ...'. The right sidebar shows 'RELATED DOCUMENTS' including 'Secondary Sources' and 'Public employees'.

VIEW: Overview 15
Cases 218
Key Numbers 10
Trial Court Orders 99
Statutes & Court Rules 58
Regulations 40
Administrative Decisions & Guidance 10,000
Secondary Sources 605
Forms 7
Briefs 304
Trial Court Documents 295
Expert Materials 4,113
Jury Verdicts & Settlements 1,118
Proposed & Enacted Legislation 10,000
Proposed & Adopted Regulations 1,886

Cases (218)

1-4
Cases Detail
More Detail
Most Detail

Set Default

RELATED DOCUMENTS

Secondary Sources

Public employees

Alabama Personal Injury and Torts

...Ray v. Judicial Correction Services, Inc., 270 F. Supp. 3d 1262, 1298 (N.D. Ala. 2017) (to present a viable § 1983 claim against municipality, plaintiff must show that municipal policy or custom was moving force behind injury; plaintiff cannot hold municipality liable under § 1983 merely because custom or policy made it more likely that constitutional violation would occur, but instead court must determine that a defendant's act was proximate cause of ultimate constitutional violation); McKenzie v. Talladega City Board of Education, 242 F. Supp. 3d 1244, 1253, 346 Ed. Law Rep. 383 (N.D. Ala. 2017)...

Police Misconduct as Municipal Policy or Custom

American Jurisprudence Proof of Facts 3d

...Prima facie case: Plaintiff seeking to hold city liable under § 1983 for acts of its employees can prove the existence of a municipal policy or custom with proof that: (1) a municipal official with final policymaking authority directly committed or commanded the constitutional violation; (2) a policy maker indicatly caused the

NARROW:

Select Multiple Filters

Search within results

Q-

Jurisdiction

State 216

Commonwealth Puerto Rico Supreme Ct. 1

Tribal Eastern Cherokee Trial Ct. 1

78 Civil Rights 78III Federal Remedies in General 78 1342 Liability of Municipalities and Other Governmental Bodies 78 1345 k. Acts of officers and employees in general; vicarious liability and respondeat superior in general....

... The route to municipal liability under § 1983 through a deliberate indifference argument is a narrow one; the Supreme Court demands application of "rigorous standards of culpability and causation . to ensure that the municipality is not held liable solely for the actions of its employee." ...

...City officials did not have actual or constructive notice of alleged violations of alarm company employee's constitutional rights arising from allegedly defamatory remarks by police department's alarm administrator, precluding municipal liability on a theory of deliberate indifference in § 1983 action; administrator's generalized criticism of alarm industry did not defame employee or his company, and alarm company employee failed to show any pattern of alleged tortious behavior that would put city on notice of repeated constitutional violations...

... Mr. Howe used § 1983 as a basis for eight independent claims alleging civil rights violations under the First, Fourth, and Fourteenth Amendments to the U.S. Constitution....

- 可以設定顯示內容細節，
1. 顯示案件名稱
 2. 顯示案件名稱、總結以及關鍵字
 3. 顯示案件名稱、總結以及關鍵字段落

關鍵字顯示段落

篩選與限縮目前查詢的資料：

THOMSON REUTERS
WESTLAW CLASSIC

TRAINING Folders History Favorites Alerts

All Content can a municipality be held liable for civil rights violations by its employees All States Advanced

NARROW:
Select Multiple Filters

Search within results
Q-

Jurisdiction
 State 218
 Commonwealth Puerto Rico Supreme Ct. 1
 Tribal Eastern Cherokee Trial Ct. 1

Date
All

Reported Status
 Reported 156
 Unreported 62

Topic
 Civil 207
 Employment & Labor 165
 Criminal 87
 Real Property 26
 Commercial 20

Topics

Judge [Select](#)

Attorney [Select](#)

Law Firm [Select](#)

Key Number [Select](#)

Party [Select](#)

Docket Number [Select](#)

Viewed in the last 30 days

系統提供篩選資料的各類選項，例如：

1. Search within results：提供更多關鍵字篩選218筆資料
2. Jurisdiction法院管轄：聯邦或是各州法院
3. Date：選擇日期
4. Topic：法律主題
5. Judge：審判法官
6. Attorney：委任律師
7. Law Firm：法律事務所
8. Party：訴訟雙方
9. Docket Number：訴訟案號

...Local government cannot be held liable for violation of civil rights by its agents under federal civil rights statute [42 U.S.C.A. § 1983] on basis of respondeat-superior theory; local governments are liable only when execution of government policy or custom inflicts the injury....

...[3][4][5] As to the plaintiff's civil rights claim against the city of Dodge City, the Court of Appeals held that the trial court did not err in dismissing that claim for the reason that a local government cannot be held liable for civil rights violations of its agents under a respondeat superior theory....

...2. A local government cannot be held liable for violation of civil rights by its agents under 42 U.S.C. § 1983 (1982) on the basis of a

Briefs
Brief of Defendant/Appellee, Suffolk County Sheriff's Department
Qingsheng LIU, Plaintiff/Appellant, v. SUFFOLK COUNTY SHERIFF'S DEPARTMENT, et al.

資料結果二次查詢：

The screenshot shows the Westlaw Classic interface. At the top, there are navigation menus for TRAINING, Folders, History, Favorites, Alerts, and a user profile. Below this is the search bar with the text "can a municipality be held liable for civil rights violations by its employees" and filters for "All Content" and "All States". The main content area displays "Cases (218)" with a list of results. The first result is "1. Morrison v. Horseshoe Casino" from the Court of Appeals of Ohio. The second result is "2. Peak Alarm Co., Inc. v. Salt Lake City Corp." from the Supreme Court of Utah. A green callout box with a white arrow points to a "Search within results" input field on the left side of the page. The callout box contains the text "二次查詢(Search within results) 輸入'關鍵字'" (Secondary search (Search within results) input 'keyword').

VIEW: Overview 15
Cases 218
Key Numbers 10
Trial Court Orders 99
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Regulations 40
Administrative Decisions & Guidance 10,000
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Expert Materials 4,113
Jury Verdicts & Settlements 1,118
Proposed & Enacted Legislation 10,000
Proposed & Adopted Regulations 1,886
Arbitration Materials 8,971
All results 37,714

NARROW: Select Multiple Filters

Search within results

Q-

Jurisdiction

- State 216
- Commonwealth Puerto Rico Supreme Ct. 1
- Tribal Eastern Cherokee Trial Ct. 1

Cases (218)

1 - 20 Sort by: Relevance

Select all items | No items selected

1. Morrison v. Horseshoe Casino
Court of Appeals of Ohio, Eighth District, Cuyahoga County. | August 20, 2020 | 157 N.E.3d 406 | 2020 WL 4876345 | 2020 -Ohio- 4131 | 108644

CIVIL RIGHTS — Arrest and Detention. Probable cause existed to arrest casino patron based upon report of alleged robbery, entitling contract security officer to immunity under § 1983.

...A municipality cannot be held liable under § 1983 on the basis of respondeat superior liability; rather, in order to be held liable for a constitutional violation, the municipality's policy must be the moving force behind the civil rights violation. 42 U.S.C.A. § 1983....

...78 Civil Rights 78III Federal Remedies in General 78 1342 Liability of Municipalities and Other Governmental Bodies 78 1345 k. Acts of officers and employees in general; vicarious liability and respondeat superior in general....

...¶ 10 In October 2016, Morrison and Artesia filed a complaint against the appellees, alleging causes of action for false arrest and detention, assault and battery, conversion, loss of consortium, violation of civil rights under 42 U.S.C. 1983, and violation of civil rights under 42 U.S.C. 1981. 1...

...The issue of whether an employer can be held liable under § 1983 for the actions of an employee usually arises in the context of municipal liability for the acts of its employees....

2. Peak Alarm Co., Inc. v. Salt Lake City Corp.
Supreme Court of Utah. | April 16, 2010 | 243 P.3d 1221 | 2010 WL 1507942 | 20080918

TORTS - Malicious Prosecution. Directed verdict in criminal case was not conclusive in civil case as to lack of probable cause for arrest and

...mental Bodies 78 1345 k. Acts of

the Supreme Court demands

solely for the actions of its

constitutional rights arising from

allegedly defamatory remarks by police department's alarm administrator, precluding municipal liability on a theory of deliberate indifference in § 1983 action; administrator's generalized criticism of alarm industry did not defame employee or his company, and alarm company employee failed to show any pattern of alleged tortious behavior that would put city on notice of repeated constitutional violations...

... Mr. Howe used § 1983 as a basis for eight independent claims alleging civil rights violations under the First, Fourth, and Fourteenth Amendments to the U.S. Constitution....

RELATED DOCUMENTS

Secondary Sources

§ 2:21.Public employees

Alabama Personal Injury and Torts

...Ray v. Judicial Correction Services, Inc., 270 F. Supp. 3d 1262, 1298 (N.D. Ala. 2017) (to present a viable § 1983 claim against municipality, plaintiff must show that municipal policy or custom was moving force behind injury; plaintiff cannot hold municipality liable under § 1983 merely because custom or policy made it more likely that constitutional violation would occur, but instead court must determine that a defendant's act was proximate cause of ultimate constitutional violation); McKenzie v. Talladega City Board of Education, 242 F. Supp. 3d 1244, 1253, 346 Ed. Law Rep. 383 (N.D. Ala. 2017)...

Police Misconduct as Municipal Policy or Custom

American Jurisprudence Proof of Facts 3d

...Prima facie case: Plaintiff seeking to hold city liable under § 1983 for acts of its employees can prove the existence of a municipal policy or custom with proof that: (1) a municipal official with final policymaking authority directly committed or commanded the constitutional violation; (2) a policy maker indirectly caused the misconduct of a subordinate

資料結果二次查詢：

The screenshot shows the Westlaw Classic interface. At the top, there are navigation tabs for TRAINING, Folders, History, Favorites, Alerts, and a user profile. The main search bar contains the query "can a municipality be held liable for civil rights violations by its employees" and "All States". Below the search bar, the results are displayed as "Cases (197)".

On the left side, there is a "VIEW:" menu with options like Overview, Cases, Key Numbers, Trial Court Orders, Statutes & Court Rules, Regulations, Administrative Decisions & Guidance, Secondary Sources, Forms, Briefs, Trial Court Documents, Expert Materials, Jury Verdicts & Settlements, Proposed & Enacted Legislation, Proposed & Adopted Regulations, Arbitration Materials, and All results.

Below the "VIEW:" menu is a "NARROW:" section with "Undo Filters" and "Select Multiple Filters" buttons. A "Search within results" box is highlighted with a green border, containing the text "policy making conduct" and an "Undo search within" link.

The main results area shows three cases:



- 1. Morrison v. Horseshoe Casino**: Court of Appeals of Ohio, Eighth District, Cuyahoga County. | August 20, 2020 | 157 N.E.3d 406 | 2020 WL 4876345 | 2020 -Ohio- 4131 | 108644. A purple highlight is on the word "conduct" in the text: "...in a § 1983 action by qualified immunity if their **conduct** does not violate clearly established statutory or constitutional rights of...".
- 2. Peak Alarm Co., Inc. v. Salt Lake City Corp.**: Supreme Court of Utah. | April 16, 2010 | 243 P.3d 1221 | 2010 WL 1507942 | 200809. A purple highlight is on the word "conduct" in the text: "...it would be clear to a reasonable official that his **conduct** was unlawful under the circumstances presented. 42 U.S.C.A. § 1983...".
- Gentry v. Robinson**: Supreme Court of Arkansas. | December 17, 2009 | 2009 Ark. 634 | 361 S.W.3d 788 | 08-1452. A purple highlight is on the word "conduct" in the text: "...In general. Where there has been a pattern of tortious **conduct** by municipal employees, a municipality's failure to properly train its...".


On the right side, there is a "RELATED DOCUMENTS" section with "Secondary Sources" like "§ 2:21.Public employees" and "Police Misconduct as Municipal Policy or Custom".

A green callout box with a white background and a green border contains the text: "二次查詢的關鍵字，會用紫色色塊標註". A green arrow points from this box to the purple highlights on the word "conduct" in the case snippets.




相關補充資料：

THOMSON REUTERS
WESTLAW CLASSIC ▾





All Content can a municipality be held liable for civil rights violations by its employees ▾ All States  Advanced 

TRAINING ▾ Folders ▾ History ▾ Favorites ▾ Alerts 

VIEW: << Overview 15
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Key Numbers 10
Trial Court Orders 99
Statutes & Court Rules 58
Regulations 40
Administrative Decisions & Guidance 10,000
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Briefs 304
Trial Court Documents 295
Expert Materials 4,113
Jury Verdicts & Settlements 1,118
Proposed & Enacted Legislation 10,000
Proposed & Adopted Regulations 1,886
Arbitration Materials 8,971
All results 37,693

NARROW:
 Undo Filters
 Select Multiple Filters
Search within results
Q policymaker conduct
 Undo search within
Jurisdiction
 State 195

Cases (197)

1 - 20  Sort by: Relevance ▾    Set Default ▾

Select all items | No items selected

1. **Morrison v. Horseshoe**
Court of Appeals of Ohio, Eighth District | 108644

CIVIL RIGHTS — Arrest and Detention. Probable cause existed to arrest casino patron based upon report of alleged robbery, entitling contract security officer to immunity under § 1983.

...in a § 1983 action by qualified immunity if their **conduct** does not **violate** clearly established statutory or constitutional rights of...

...reasonably competent public official to know the law governing his **conduct**. 42 U.S.C.A. § 1983 [5] 78 **Civil Rights** 78III Federal...

...**liability** is assessed based on his or her own individual **conduct** and not the **conduct** of others. 42 U.S.C.A. § 1983 [8] 78 **Civil Rights**...

...lawful investigatory stop has been made, a police officer may **conduct** a limited protective search for concealed weapons if the officer...

2. **Peak Alarm Co., Inc. v. Salt Lake City Corp.**
Supreme Court of Utah. | April 16, 2010 | 243 P.3d 1221 | 2010 WL 1507942 | 20080918

TORTS - Malicious Prosecution. Directed verdict in criminal case was not conclusive in **civil** case as to lack of probable cause for arrest and prosecution.

...grounds of **liability**. To avoid immunity from **liability** for tortious **conduct** as granted by Utah Governmental Immunity Act (UGIA), a plaintiff...

...government **employees** from **liability** for civil damages insofar as their **conduct** does not **violate** clearly established statutory or constitutional rights of...

...it would be clear to a reasonable official that his **conduct** was unlawful under the circumstances presented. 42 U.S.C.A. § 1983...

...Protected and Discrimination Prohibited in General 78 1030 Acts or **Conduct** Causing Deprivation 78 1037 k. Malicious prosecution and false imprisonment...

3. **Gentry v. Robinson**
Supreme Court of Arkansas. | December 17, 2009 | 2009 Ark. 634 | 361 S.W.3d 788 | 08-1452

CIVIL RIGHTS - Immunity. Hiring of jailer who raped inmate was not the result of deliberate indifference as would defeat claim of county immunity.

...In general. Where there has been a pattern of tortious **conduct** by **municipal employees**, a **municipality's** failure to properly train its...

...**employees**; (2) deliberate indifference to or tacit authorization of such **conduct** by the governmental entity; **policy-making** officials after notice...

RELATED DOCUMENTS

Secondary Sources

§ 2:21.Public employees

Alabama Personal Injury and Torts
...Ray v. Judicial Correction Services, Inc., 270 F. Supp. 3d 1282, 1298 (N.D. Ala. 2017) (to present a viable § 1983 claim against **municipality**, plaintiff must show that **municipal** policy or custom was moving force behind injury; plaintiff cannot **hold municipality liable** under § 1983 merely because custom or policy made it more likely that constitutional **violation** would occur, but instead court must determine that a defendant's act was proximate cause of ultimate constitutional **violation**); McKenzie v. Talladega City Board of Education, 242 F. Supp. 3d 1244, 1253, 346 Ed. Law Rep. 383 (N.D. Ala. 2017)...

Police Misconduct as Municipal Policy or Custom

American Jurisprudence Proof of Facts 3d
...Prima facie case: Plaintiff seeking to **hold city liable** under § 1983 for acts of its **employees** can prove the existence of a **municipal** policy or custom with proof that: (1) a **municipal** official with final policymaking authority directly committed or commanded the constitutional **violation**; (2) a policy...

右側列表為相關補充資料

檢索文獻：CITATION

The screenshot shows the Westlaw Classic search interface. At the top, there is a navigation bar with options like TRAINING, Folders, History, Favorites, Alerts, and a user profile icon. Below this is the search bar area with 'WESTLAW CLASSIC' on the left, a search input field containing '562 fs 263', and a search button with a magnifying glass icon. To the right of the search bar, there are filters for 'All States' and an 'Advanced' search option.

A green callout box is overlaid on the search input field, containing the text: 'CITATION可不區分空白鍵輸入' (Citation can be input without distinguishing blank keys) and '例：562 FS 263' (Example: 562 FS 263). A mouse cursor is pointing at the 'Westlaw Edge' section on the right side of the page.

The main content area is divided into several sections:

- Browse:** A sidebar on the left with 'All Content' and 'Federal Material' tabs. Under 'Federal Material', there are links for Cases, Topics & Key Numbers, Trial Court Orders, Statutes & Court Rules, Regulations, Administrative Decisions & Guidance, and Secondary Sources.
- Expert Materials:** A central column with links for Jury Verdicts & Settlements, Proposed & Enacted Legislation, Proposed & Adopted Regulations, and Arbitration Materials.
- News:** A right column with links for Business Law Center, Company Investigator, Sample Agreements, Legislative History, Trial Transcripts & Oral Arguments, Intellectual Property, International Materials, and Directories.

On the right side, there is a 'Westlaw Edge' section with the tagline 'The most intelligent legal research service ever'. It lists several features: New Warnings for Risk of Invalid Law, Intelligent Document Analysis, Next-Generation Search, Integrated Litigation Analytics, and Analysis of Statutory & Regulatory Changes. Below this is a 'Learn more about Westlaw Edge' button.

Below the Westlaw Edge section is a 'Favorites' section with a search input field and a 'Search' button. It includes a 'Select All' checkbox and a 'My Favorites' section with a list of items to be selected:

- Proposed Legislation (Bills) - United States Code Annotated Popular Name Table
- Global Competition & Antitrust
- Federal Trade Commission (FTC)
- Federal Bankruptcy Court Cases
- European Union Journals
- World Journals
- U.S. Tax Court Cases
- News
- Fifty State Construction Lien and Bond Law
- U.S. Court of Federal Claims Cases
- U.S. Supreme Court Cases

At the bottom left, there is a 'News and Insight from REUTERS' section. It features a photo of the SpaceX building at night and a headline: 'U.S. Justice Department probes SpaceX after hiring discrimination complaint'. The date is '1/28/2021 | REUTERS'. The text below the headline reads: '(Reuters) - The U.S. Department of Justice is probing Elon Musk's rocket company SpaceX over whether the company discriminates against non-U.S. citizens in its hiring, according to court documents filed on Thursday.'

CITATION查詢結果

THOMSON REUTERS
WESTLAW CLASSIC All Content All States Advanced

Kazmaier v. C.I.A.
United States District Court, E.D. Wisconsin. | April 11, 1983 | 562 F.Supp. 263 **(Approx. 2 pages)**

案件總頁數

Document | Filings (0) | Negative Treatment (0) | History (0) | **Citing References (1)** | Table of Contents

Original Image of 562 F.Supp. 263 (PDF)

562 F.Supp. 263
United States District Court,
E.D. Wisconsin.

CITATION位置

John Wesley KAZMAIER, Plaintiff,
v.
CENTRAL INTELLIGENCE AGENCY and the United States Justice Dept. and the Federal Bureau of Investigation and the United States Government, Defendants.

No. 2--C-1342.
April 11, 1983.

Synopsis

Civil rights action was brought based on allegations that plaintiff had been subjected by the CIA to brainwashing and torture through the use of satellite beams, portable dental laser equipment, and other means. The District Court, Myron L. Gordon, Senior District Judge, held that complaint was frivolous.

Dismissed.

West Headnotes (1)

1 **Federal Civil Procedure** **Forma pauperis proceedings**

Complaint in which plaintiff alleged that CIA had subjected him to brainwashing and torture through the use of satellite beams, portable dental laser equipment, and other means, in which he contended that his high school career was ruined, that he was prevented from receiving his college degree, and that his right ankle was broken, in which he sought over \$7 trillion in damages, employment as director and assistant director of the FBI, protection from assassins, authorization to carry concealed weapons, and other forms of relief was frivolous, especially in view of plaintiff's letters to the court which ordered the court to provide him with ridiculously large sums of money as loans or advances against his future award and ordered the court to provide him with various weapons, a bullet-proof car, and a United States marshals service badge and I.D. set.

Attorneys and Law Firms

*264 John Wesley Kazmaier, pro se.

Brief It

SELECTED TOPICS

Federal Civil Procedure

[Dismissal of Prisoner's In Forma Pauperis Action](#)

Secondary Sources

[Validity and Construction of "Three Strikes" Rule Under 28 U.S.C.A. § 1915\(g\) Barring Prisoners from In Forma Pauperis Filing of Civil Suit After Three Dismissals for Frivolity](#)

168 A.L.R. Fed. 433 (Originally published in 2001)

...The Prison Litigation Reform Act (PLRA)(28 U.S.C.A. § 1915(g)) provides that a prisoner may not bring an in forma pauperis civil action or appeal if the prisoner has, on three or more prior occasions, ...

[§ 102.4. Prisoners](#)

3 Wis. Prac., Civil Procedure § 102.4 (4th ed.)

...Wis. Stat. § 801.02(7)(b) provides that no prisoner may commence a civil action or special proceeding with respect to the prison or jail conditions in the facility in which he or she is or has been inc...

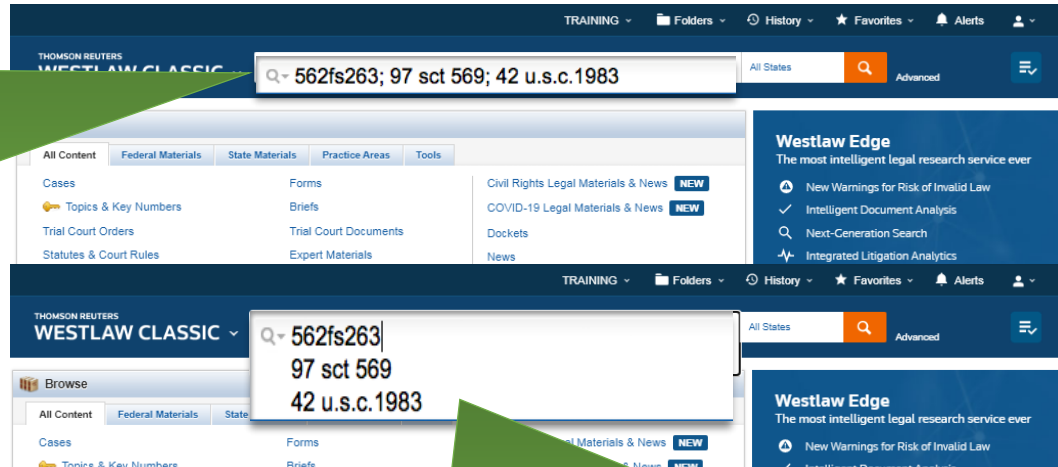
[§ 1:46. Pro se plaintiffs, including prisoners and indigents; the Prison Litigation Reform Act of 1995](#)

1 Nahmod, Civil Rights & Civil Liberties Litigation: The Law of Section 1983 § 1:46

...The Supreme Court put a special § 1983 gloss on Rule 12(b)(6), which

多個CITATION查詢：

一、輸入多個CITATION，每個CITATION之間給予“；”區隔。
例：562fs263;97 sct 569;42 us1983



二、複製貼上各個CITATION，系統會自行給予“；”區隔。

THOMSON REUTERS
WESTLAW CLASSIC | All Content | 562fs263; 97 sct 569; 42 us 1983

Find Results (3)
We found the following documents for the citations entered.
Would you like to view search results for: "562fs263" "97 sct 569" "42 us 1983"

1 - 3

Select all items | No items selected

562fs263

Kazmaier v. C.I.A.
United States District Court, E.D. Wisconsin. | April 11, 1983 | 562 F.Supp. 263 | 2-C-1342

Civil rights action was brought based on allegations that plaintiff had been subjected by the CIA to brainwashing and torture through the use of satellite beams, portable dental laser equipment, and other means. The District Court, Myron L. Gordon, Senior District Judge, held that complaint was frivolous. Dismissed.

97 sct 569

Mt. Healthy City School Dist. Bd. of Educ. v. Doyle
Supreme Court of the United States | January 11, 1977 | 429 U.S. 274 | 97 S.Ct. 568 | 75-1278

An untenured teacher, having been discharged from his employment, brought an action against his former employer for reinstatement and damages, claiming that the school district's refusal to rehire him violated his rights under the First and Fourteenth Amendments. The District Court found that the teacher's exercise of his right of free speech had...

42 us 1983

Bronson v. Kinzie
Supreme Court of the United States | January 01, 1843 | 42 U.S. 311 | 1 How. 311

A state law, passed subsequently to the execution of a mortgage, which declares that the equitable estate of the mortgagor shall not be extinguished for twelve months after a sale under a decree in chancery, and which prevents any sale unless two-thirds of the amount at which the property has been valued by appraisers shall be bid therefor, is

檢索文獻儲存列印：

THOMSON REUTERS
WESTLAW CLASSIC All Content 562fs263; 97 sct 569; 42 us 1983 All States Advanced

Find Results (3)

We found the following documents for the citations entered.
Would you like to view [search results for: "562fs263" "97 sct 569" "42 us 1983"](#)

1 - 3

Select all items | No items selected

562fs263

Kazmaier v. C.I.A.
United States District Court, E.D. Wisconsin. | April 11, 1983 | 562 F.Supp. 263 | 2-C-1342

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20 per page

0);

匯出方式：
1. 電郵
2. 列印
3. 下載
4. KINDLE電子書格式。

雙方訴訟人或單一訴訟人查詢：

The screenshot shows the Westlaw Classic search interface. At the top, there is a navigation bar with 'THOMSON REUTERS WESTLAW CLASSIC' and a search bar containing 'Brown v. Board'. Below the search bar, there are tabs for 'All Content', 'Federal Materials', 'State Materials', and 'Practice Areas'. A green callout box with white text is overlaid on the search bar area, stating: '輸入雙方訴訟人名字，於雙方名字中間給予“V.” 例：Brown v. Board'. The interface also features a 'Westlaw Edge' section on the right, a 'Favorites' section at the bottom right, and a 'News and Insight from REUTERS' section at the bottom left.

輸入雙方訴訟人名字，
於雙方名字中間給予
“V.”
例：Brown v. Board



Browse

All Content

Federal Materials

State Materials

Practice Areas

Cases

Topics & Key Numbers

Trial Court Orders

Statutes & Court Rules

Regulations

Administrative Decisions & Guidance

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Briefs

Trial Court Documents

Expert Materials

Jury Verdicts & Settlements

Proposed & Enacted Regulations

Proposed & Adopted Regulations

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Mexico to review government bond auction process after watchdog fines banks for rigging

1/29/2021 | REUTERS

MEXICO CITY (Reuters) - Mexico will review the auction process for government bonds, a finance ministry official said on Friday, following accusations of market manipulation and collusion in the secondary government bond market against seven major banks.

雙方訴訟人或單一訴訟人查詢：

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THOMSON REUTERS
WESTLAW CLASSIC ▾ All Content Brown v. Board ▾ All States  Advanced 

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Brown v. Board of Ed. of Topeka, Shawnee County, Kan.
Supreme Court of the United States | May 17, 1954 | 347 U.S. 483

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Brown v. Pennsylvania Board of Probation and Parole
Commonwealth Court of Pennsylvania. | September 29, 2020 | 240 Pa. App. 1000

Petitioner Kamil **Brown (Brown)** petitions for review of a final determination of the Pennsylvania **Board** of Probation and Parole (**Board**), dated May 22, 2019, which affirmed a decision of the **Board** recorded on July 24, 2017, thereby rejecting **Brown's** request for administrative relief, in which he sought to challenge the **Board's** recalculation of...

...Petitioner Kamil **Brown (Brown)** petitions for review of a final determination of the Pennsylvania **Board** of Probation and Parole (**Board**), dated May 22, 2019, which affirmed a decision of the **Board** recorded on July 24, 2017, thereby rejecting **Brown's** request for administrative relief, in which he sought to challenge the **Board's** recalculation of...

...At the time of his sentence, **Brown** had not yet been recommitted by the **Board** as either a technical or convicted parole violator, because the **Board** did not recommit **Brown** until April 3, 2019, when the **Board** member signed the hearing report....

...By **Board** action recorded on January 26, 2018, the **Board** detained **Brown** pending resolution of his criminal charges....

...The **Board** recalculated **Brown's** maximum sentence date as September 21, 2023, and calculated **Brown's** parole eligibility date as April 3, 2021....

Brown v. Pennsylvania Board of Probation and Parole
Commonwealth Court of Pennsylvania. | January 25, 2019 | Not Reported in Atl. Rptr. | 2019 WL 321141 | 710 C.D. 2018

Petitioner Christopher **Brown (Brown)** petitions for review of a final determination of the Pennsylvania **Board** of Probation and Parole (**Board**), dated May 11, 2018, which affirmed a decision of the **Board** recorded on July 24, 2017, thereby rejecting **Brown's** request for administrative relief, in which he sought to challenge the **Board's** recalculation of...

...Petitioner Christopher **Brown (Brown)** petitions for review of a final determination of the Pennsylvania **Board** of Probation and Parole (**Board**), dated May 11, 2018, which affirmed a decision of the **Board** recorded on July 24, 2017, thereby rejecting **Brown's** request for administrative relief, in which he sought to challenge the **Board's** recalculation of his parole violation maximum date....

...**Brown** then filed the instant petition for review, arguing: (1) the **Board** has failed to credit him with all the time due while incarcerated; (2) the evidence was insufficient as a matter of law to find **Brown** in violation of his parole; (3) the **Board** erred in failing to use discretion in determining his eligibility to receive credit for the time spent at liberty on parole from April 4, 2016, to December 11, 2016, and in failing to comply with Pittman v. Pennsylvania **Board** of Probation and Parole, 159 A.3d 488 (Pa. 2017), which requires the **Board** to provide a reason for its denial of credit of street time; (4) the **Board**....

...By **Board** action recorded on September 5, 2014, the **Board** granted **Brown** reparole....

...It appears that **Brown** must have been recommitted thereafter, because, by **Board** action recorded on December 18, 2015, the **Board** again reparaoled **Brown** and set his maximum...

藍色框為最符合的查詢案件。

工具欄與關鍵字瀏覽：

The screenshot shows the Westlaw Classic interface. At the top, there is a navigation bar with 'TRAINING', 'Folders', 'History', 'Favorites', and 'Alerts'. Below this is the 'WESTLAW CLASSIC' logo and a search bar containing the text 'can a municipality be held liable for civil rights violations by its employees'. The search results show '§ 29-20-205. Public officers and employees; negligent acts or omissions'. The interface includes a 'Document' tab, a 'Notes of Decisions (210)' tab, and a 'History (20)' tab. A green arrow points to the search bar with the annotation '法條查詢欄位'. Another green arrow points to the 'Original terms' dropdown menu with the annotation '直接選擇“前/後”的法條，也可以查看法條全文。'. A third green arrow points to the search results with the annotation '快速瀏覽關鍵字，關鍵字會有黃色色塊標記'. A fourth green arrow points to the 'Case Search' area with the annotation '案件查詢欄位'. The search results show 'Effective: August 17, 2020' and 'T. C. A. § 29-20-205'. The text of the statute is displayed, with 'employee' highlighted in yellow. A list of related terms is shown on the right side of the page.

法條查詢欄位

直接選擇“前/後”的法條，也可以查看法條全文。

快速瀏覽關鍵字，關鍵字會有黃色色塊標記

案件查詢欄位

Effective: August 17, 2020

T. C. A. § 29-20-205

§ 29-20-205. Public officers and **employees**; negligent acts or omissions

Currentness

Immunity from suit of all governmental entities is removed for injury proximately caused by a negligent act or omission of any **employee** within the scope of his employment except if the injury arises out of:

- (1) The exercise or performance or the failure to exercise or perform a discretionary function, whether or not the discretion is abused;
- (2) False imprisonment pursuant to a mittimus from a court, false arrest, malicious prosecution, intentional trespass, abuse of process, libel, slander, deceit, interference with contract rights, infliction of mental anguish, invasion of right of privacy, or **civil rights**;
- (3) The issuance, denial, suspension or revocation of, or by the failure or refusal to issue, deny, suspend or revoke, any permit, license, certificate, approval, order or similar authorization;
- (4) A failure to make an inspection, or by reason of making an inadequate or negligent inspection of any property;
- (5) The institution or prosecution of any judicial or administrative proceeding, even if malicious or without probable cause;
- (6) Misrepresentation by an **employee** whether or not such is negligent or intentional;
- (7) Or results from riots, unlawful assemblies, public demonstrations, mob violence and civil disturbances;
- (8) Or in connection with the assessment, levy or collection of taxes;

Comparative fault

of course of employment

and application

with federal law

with other statutes

Discretionary activities

Emotional distress

Exceptions and exemptions generally

Firefighting services

Foreseeability

Governmental employee liability

Inspection and inspectors

Intentional or negligent misrepresentation

Jails and institutional detention

Jurisdiction

Law enforcement and security

Malicious prosecution

Negligent conduct

Non-negligent misconduct

Notice of activity or defective condition by governmental entity

直接前往選項(Go to)：

The screenshot displays the Westlaw Classic interface for the case *Morrison v. Horseshoe Casino*. The top navigation bar includes 'TRAINING', 'Folders', 'History', 'Favorites', and 'Alerts'. The search bar contains the query 'can a municipality be held liable for civil rights violations by its employees' and 'All States'. The document title is 'Morrison v. Horseshoe Casino' with details: 'Court of Appeals of Ohio, Eighth District, Cuyahoga County, August 20, 2020 | 157 N.E.3d 406 | 2020 -Ohio- 4131 (Approx. 45 pages)'. The 'Go to' dropdown menu is open, showing options: 'Synopsis', 'West Headnotes', 'Attorneys and Law Firms', 'JOURNAL ENTRY AND OPINION', 'All Citations', and 'Page #'. A green callout box with white text is overlaid on the right side, containing the following text: 'Go to選項：判決大綱、WestHeadnotes、委任律師、判決、索引頁、指定頁等。' Below the callout, the 'West Headnotes (75)' section is visible, with the first entry: '1 Civil Rights A claim under § 1983 provides a civil remedy to persons whose federal rights have been violated by governmental officials. 42 U.S.C.A. § 1983.'

全螢幕顯示(Full Screen Mode) :

The screenshot displays the Westlaw Classic interface for a case titled "Morrison v. Horseshoe Casino". The top navigation bar includes "TRAINING", "Folders", "History", "Favorites", and "Alerts". The search bar shows the query "can a municipality be held liable for civil rights violations by its employees" and "All States". The document title is "Morrison v. Horseshoe Casino" from the Court of Appeals of Ohio, Eighth District, Cuyahoga County, dated August 20, 2020. The toolbar contains various navigation and utility icons, including a full-screen icon (a square with four corner handles) which is highlighted by a green callout box. The callout box contains the text: "案件可以“全螢幕顯示”，再點一下取消全螢幕顯示". The document content includes the case citation "157 N.E.3d 406", the court name, the parties "Willie MORRISON, et al., Plaintiffs-Appellants, v. HORSESHOE CASINO, et al., Defendants-Appellees", and the date "RELEASED AND JOURNALIZED: August 20, 2020". The "Synopsis" section provides a background and holdings. The "Holdings" section lists seven points. The bottom of the page shows a "West Headnotes (75)" section.

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All Content can a municipality be held liable for civil rights violations by its employees All States Advanced

Morrison v. Horseshoe Casino
Court of Appeals of Ohio, Eighth District, Cuyahoga County. August 20, 2020 | 157 N.E.3d 406 | 2020 -Ohio- 4131 (Approx. 45 pages)

Document Filings (4) Negative Treatment (0) History (3) Citing References (3) Table of Authorities Powered by KeyCite

Return to list 1 of 218 results Original terms

Go to Brief It

157 N.E.3d 406
Court of Appeals of Ohio, Eighth District, Cuyahoga County.

Willie MORRISON, et al., Plaintiffs-Appellants,
v.
HORSESHOE CASINO, et al., Defendants-Appellees

No. 108644
RELEASED AND JOURNALIZED: August 20, 2020

Synopsis

Background: Casino patron and wife brought action against casino, casino employees, security management service, and contract security officers alleging claims for false arrest and detention, assault and battery, conversion, loss of consortium, and violation of civil rights under §§ 1981 and 1983. The Court of Common Pleas, Cuyahoga County, No. CV-16-870814, Sherrie M. Miday, J., 2019 WL 10749634, granted casino and service's motion for summary judgment. Patron and wife appealed.

Holdings: The Court of Appeals, Eileen T. Gallagher, Administrative Judge, held that:

- 1 three named security officers bore no responsibility for actions of on-duty police officers in arresting patron;
- 2 one of security officers was not merely present for arrest and search of patron but sufficiently participated to be subject to potential liability under § 1983;
- 3 officers had lawful basis for initial detention of patron;
- 4 probable cause existed to detain, arrest, and search patron;
- 5 casino, employees, and management service could not be held liable under failure to train theory of patron's § 1983 claim;
- 6 security officers were statutorily immune from liability from state law claims; and
- 7 there was no basis to impose liability on management service, casino, or employees for state law claims.

Affirmed.

West Headnotes (75)

相關補充主題(Related Topics) :

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WESTLAW CLASSIC | All Content | can a municipality be held liable for civil rights violations by its employees | All States | Advanced

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Peak Alarm Co., Inc. v. Salt Lake City Corp.
Supreme Court of Utah. | April 16, 2010 | 243 P.3d 1221 | 654 Utah Adv. Rep. 4 | 2010 UT 22 (Approx. 49 pages)

Document | Filings (9) | Negative Treatment (0) | History (5) | Citing References (86) | Table of Authorities | Powered by KeyCite

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Original Image of 243 P.3d 1221 (PDF) Brief It

243 P.3d 1221
Supreme Court of Utah.

PEAK ALARM COMPANY, INC., a Utah corporation; Jerry D. Howe, an individual; and
Plaintiffs and Appellants,
v.
SALT LAKE CITY CORPORATION, a Utah **municipal** corporation; Shanna Werner, an individual; Scott Atkinson, an individual; James Bryant, an individual; and John Does I–X, individuals, Defendants and Appellees.

No. 20080918.
April 16, 2010.
Rehearing Denied June 28, 2010.

Synopsis
Background: Plaintiff, an alarm company **employee** whose prosecution for making a false alarm ended with directed verdict in his favor, filed tort claims and § 1983 rights claims against city and members of its police department. The District Court, Third District, Salt Lake, L.A. Dever, J., denied plaintiff's motion for partial summary judgment and granted summary judgment to defendants. Plaintiff appealed.

Holdings: The Supreme Court, Durham, C.J., held that:

- 1 directed verdict in plaintiff's favor in criminal prosecution was not conclusive evidence that members of police department lacked probable cause to arrest him and have him prosecuted, and thus did not collaterally estop state from contesting that issue on plaintiff's claims for false arrest and malicious prosecution;
- 2 notice of claim included sufficient allegations that members of police department acted with fraud or malice to invoke exception to the general grant of immunity in Utah Governmental Immunity Act (UGIA);
- 3 notice of claim was timely filed under UGIA;
- 4 alleged facts supported conclusion, under qualified-immunity analysis as applied at summary judgment stage of § 1983 action against police sergeant and police department's alarm administrator, that plaintiff was subject to an unreasonable seizure in violation of Fourth Amendment;
- 5 plaintiff was not subject to either a continuing seizure or a seizure pursuant to legal process that would support a § 1983 claim of malicious prosecution under Fourth Amendment;
- 6 plaintiff failed to allege requisite conscience-shocking behavior to support a § 1983 substantive due process claim;
- 7 Utah Rules of Civil Procedure do not impose a heightened pleading standard on claims sounding in § 1983;
- 8 § 1983 First Amendment claim that prosecution was in retaliation for plaintiff's opposition to city's on-site verification program did not put city on notice of another First Amendment claim;
- 9 city officials did not have actual or constructive notice, as necessary for **municipality liability** under § 1983 on a deliberate indifference theory, of alleged **violations** of plaintiff's rights arising from remarks by alarm administrator; and

SELECTED TOPICS

- Civil Rights
 - Federal Remedies
 - Color of State Law of Any Right, Privilege, or Immunity
 - Public Official Claiming Defense of Qualified Immunity
- Municipal Corporations
- Torts
 - Notice of Claim of Negligent Issue of Permits
- Secondary Sources
 - Waiver of, or Estoppel to Assert, Failure to Give or Defects in Notice of Claim Against State or Local Political Subdivision—Modern Status

84 A.L.R.5th 519 (Originally published in 1998)

...Before bringing actions against states, **municipalities**, and other political subdivisions, claimants must ordinarily serve written notice on a designated official of the entity to be sued. Many of the t...

APPENDIX IV GUIDANCE AND TECHNICAL ASSISTANCE MANUALS

ADA Compliance Guide Appendix IV

...Under the Americans with Disabilities Act of 1990 (the "ADA"), an employer may ask disability-related questions and require medical examinations of an applicant only after the applicant has been given ...

Immunity of public officials from

West Headnotes 瀏覽設定：

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Peak Alarm Co., Inc. v. Salt Lake City Corp. Supreme Court of Utah

Peak Alarm Co., Inc. v. Salt Lake City Corp. Utah. April 16, 2010. 243 P.3d 1221. 654 Utah Adv. Rep. 4. 2010 UT 22. (Approx. 49 pages)

Document Filing

Return to list 2 of 2

2 of 218 results Original terms

改變 West Headnotes 瀏覽模式

West Headnotes (69)

Change View

1 Appeal and Error Particular Cases and Contexts
Plaintiff, whose prosecution on false alarm charge ended with a directed verdict in his favor, waived on appeal the district court's dismissal of his state constitutional claim against city and police officials as part of an analysis under Utah Governmental Immunity Act (UGIA), where trial court did not merely dismiss the claim on immunity grounds but addressed the merits of the claim, and plaintiff failed to address the merits on appeal. U.C.A. 1953, 63-30-1 et seq. (Repealed).
2 Cases that cite this headnote

2 Appeal and Error Summary Judgment
When reviewing a grant of summary judgment, appellate court evaluates the evidence and all reasonable inferences fairly drawn from that evidence in a light most favorable to the party opposing summary judgment.

3 Appeal and Error Deference given to lower court in general
Appeal and Error Review for Correctness or Error
The Supreme Court reviews legal questions for correctness, granting the district court no deference.

4 Judgment Civil or criminal proceedings
Judgment Nature, rendition, and form of judgment in general
Directed verdict in favor of defendant in criminal prosecution for making a false alarm was not conclusive evidence that members of city's police department lacked probable cause to arrest him and have him prosecuted, and therefore did not collaterally estop city from contesting that issue in former defendant's subsequent action for false arrest and malicious prosecution; directed verdict was, at best, some evidence of a lack of probable cause for an arrest or prosecution that should be considered as part of a larger analysis of the totality of circumstances. U.S.C.A. Const.Amend. 4.

30	Appeal and Error
30XVI	Review
30XVI(J)	Waiver of Error in Reviewing Court
30k4094	Failure to Assert or Adequately Discuss Error
30k4098	Particular Cases and Contexts
30k4098(1)	In general (Formerly 30k1078(1))

30	Appeal and Error
30XVI	Review
30XVI(F)	Presumptions and Burdens on Review
30XVI(F)2	Particular Matters and Rulings
30k3950	Summary Judgment
30k3951	In general (Formerly 30k934(1))

案件內關鍵字查詢：

The screenshot displays the Westlaw Classic interface for a document titled "Morrison v. Horseshoe Casino". The search bar at the top contains the query "can a municipality be held liable for civil rights violations by its employees". The document content shows a search for "respondeat superior" with results highlighted in green. A green callout box with a magnifying glass icon contains the text: "利用“放大鏡”查詢：可以針對案件內文查詢關鍵字。例：respondeat superior". The callout box also has a green arrow pointing to the search bar and another pointing to the search results.

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TRAINING Folders History Favorites Alerts

All Content can a municipality be held liable for civil rights violations by its employees All States Advanced

Morrison v. Horseshoe Casino
Court of Appeals of Ohio, Eighth District, Cuyahoga County. August 20, 2020 157 N.E.3d 406 2020 -Ohio- 4131 (Approx. 45 pages)

Document Filings (4) Negative Treatment (0) History (3) Citing References (3) Table of Authorities

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Go to Search

cannot be conducted unless police officers can act on 1990 WL 119162, *7 (Aug. 9, 1990). It reasonably follows the detention and removal of Morrison, she could not "be expected to cross-examine [her] fellow officers about the foundation for the transmitted information." *Id.* See also *State v. Henderson*, 51 Ohio St.3d 54, 554 N.E.2d 104 (1990), syllabus ("information supplied by officers of agencies engaged in investigation with an arresting officer may be used to establish probable cause for a warrantless arrest").

(¶ 69) Having found actual probable cause, it reasonably follows that, in the context of a Section 1983 claim, an objectively reasonable police officer could have concluded that probable cause was present in this case. This same reasonable police officer could have concluded that it was to his arrest and that there was probable cause to believe that the evidence of the suspected robbery would be discovered in his possession. Officer Maye is not required to conclude that Officer Maye is shielded by qualified immunity.

3. Private Entities

38 39 40 41 42 (¶ 70) We likewise find that the trial court did not err in granting judgment on the Section 1983 claims of the private entities, Atlantis Security and Rock Ohio.



The issue of whether an employer can be held liable under § 1983 for the actions of an employee usually arises in the context of a municipality's actions. A municipality cannot be held liable under § 1983 on the basis of respondeat superior liability. *Moneil v. Dept. of Soc. Servs.*, 436 U.S. 658, 98 S.Ct. 2018, 56 L.Ed.2d 611 (1978). Rather, in order to be held liable for a constitutional violation, the municipality's policy must be the "moving force" behind the violation. *Canton v. Harris*, 489 U.S. 378, 389, 109 S.Ct. 1197, 103 L.Ed.2d 412 (1989). "Only where a municipality's failure to train its employees in a relevant respect evidences a 'deliberate indifference' to the rights of its inhabitants can such a shortcoming be properly thought of as a city 'policy or custom' that is actionable under § 1983." *Id.* These same principles apply to a private corporation which is sued under § 1983 on a respondeat superior or vicarious liability theory. See *Street v. Corrs. Corp. of America*, 102 F.3d 810, 818 (6th Cir. 1996).

Nerswick v. CSX Transp., Inc., 692 F. Supp.2d 866, 878 (S.D. Ohio 2010).

(¶ 71) Because the appellants failed to carry the burden to overcome the defendant officers' qualified immunity and establish the deprivation of a federally protected constitutional right or statutory right, it likewise follows that Atlantis Security and Rock Ohio — private entities — cannot be liable under a failure to train theory. See *Cannavino v. Rock Ohio Caesars Cleveland, L.L.C.*, 2017-Ohio-380, 83 N.E.3d 354, ¶ 38 (8th Dist.). Similarly, given the existence of probable cause in this matter, there is no basis to suggest the casino employees, Barnes, Peloso, and Arrington — who were not acting under color of state law — can be held liable under Section 1983.


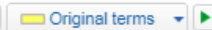







C. The Appellants' State Law Claims

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Morrison v. Horseshoe Casino
Court of Appeals of Ohio, Eighth District, Cuyahoga County. | August 20, 2020 | 157 N.E.3d 406 | 2020 -Ohio- 4131 (Approx. 45 pages)

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Brief It


157 N.E.3d 406
Court of Appeals of Ohio, Eighth District, Cuyahoga County.
Willie MORRISON, et al., Plaintiffs-Appellants,
v.
HORSESHOE CASINO, et al., Defendants-Appellees.

No. 108644
RELEASED AND JOURNALIZED: August 20, 2020

Synopsis
Background: Casino patron and wife brought action against casino, casino **employees**, security management service, and contract security officers alleging claims for false arrest and detention, assault and battery, conversion, loss of consortium, and **violation of civil rights** under §§ 1981 and 1983. The Court of Common Pleas, Cuyahoga County, No. CV-16-870814, **Sherrie M. Miday, J.**, 2019 WL 10749634, granted casino and service's motion for summary judgment. Patron and wife appealed.

Holdings: The Court of Appeals, **Eileen T. Gallagher**, Administrative Judge, **held** that:
1 three named security officers bore no responsibility for actions of on-duty police officers in arresting patron;
2 one of security officers was not merely present for arrest and search of patron but sufficiently participated to be subject to potential **liability** under § 1983;
3 officers had lawful basis for initial detention of patron;
4 probable cause existed to detain, arrest, and search patron;
5 casino, **employees**, and management service could not be **held liable** under failure to train theory of patron's § 1983 claim;
6 security officers were statutorily immune from **liability** from state law claims; and
7 there was no basis to impose **liability** on management service, casino, or **employees** for state law claims.

Affirmed.

West Headnotes (75) 

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- Statutes & Regulations - amended, repealed, superseded, or held unconstitutional or preempted in whole or in part
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KeyCite citing references help you investigate how other authorities have interpreted that document. If

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The background interface shows the "Morrison v. Horseshoe Casino" case, with a "Synopsis" section and a "West Headnotes (75)" section. A green box with white text is overlaid on the synopsis, containing the Chinese text: "黃旗與紅旗的功能介紹".

黃旗與紅旗的功能介紹

rs in arresting patron;
sufficiently participated to be subject to potential **liability** under § 1983;

5 casino, **employees**, and management service could not be **held liable** under failure to train theory of patron's § 1983 claim;
6 security officers were statutorily immune from **liability** from state law claims; and
7 there was no basis to impose **liability** on management service, casino, or **employees** for state law claims.

Affirmed.

West Headnotes (75)

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Morrison v. Horseshoe Casino
Court of Appeals of Ohio, Eighth District, Cuyahoga County. | August 20, 2020 | 157 N.E.3d 406 | 2020 -Ohio- 4131 (Approx. 45 pages)

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Trial Court | All Results

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	PDF	Court	Date	Type
<input type="checkbox"/> 1. Motion for Summary Judgment of Defendants Rock Ohio Casars Cleveland LLC, the Horseshoe Casino, Joan Peloso, Steven Barnes and Jason Arrington Willie MORRISON, et al., v. THE HORSESHOE CASINO, et al. 2017 WL 11564513	—	Ohio Com.Pl.	Mar. 30, 2019	Motion
<input type="checkbox"/> 2. Motion for Summary Judgment of Defendants Rock Ohio Casars Cleveland LLC, the Horseshoe Casino, Joan Peloso, Steven Barnes and Jason Arrington Willie MORRISON, et al., v. THE HORSESHOE CASINO, et al. 2017 WL 11564513	—	Ohio Com.Pl.	Nov. 17, 2017	Motion
<input type="checkbox"/> 3. Plaintiff's Brief in Opposition to Defendant Rock Ohio Caesar Cleveland, LLC and Defendants Steven Barnes, Joan Peloso and Justin Arrington Motions to... Willie MORRISON, et al., v. THE HORSESHOE CASINO, et al. 2017 WL 11564512	—	Ohio Com.Pl.	Jan. 09, 2017	Motion
<input type="checkbox"/> 4. Defendant Rock Ohio Casars Cleveland, LLC's Motion to Dismiss, or in the Alternative, Motion for Summary Judgment Willie MORRISON, et al., v. THE HORSESHOE CASINO, et al. 2016 WL 11705092	—	Ohio Com.Pl.	Nov. 10, 2016	Motion

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Civil Rights In general.
Local government officials sued in their official capacities are "persons" for purposes of the Civil Rights Act of 1871 in those cases in which a local government would be suable in its own name. 42 U.S.C.A. § 1983.

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157 N.E.3d 406
Court of Appeals of Ohio, Eighth District, Cuyahoga County.
Willie MORRISON, et al., Plaintiffs-Appellants,
v.
HORSESHOE CASINO, et al., Defendants-Appellees.
No. 108644
RELEASED AND JOURNALIZED: August 20, 2020

Synopsis
Background: Casino patron and wife brought action against casino, casino **employees**, security management service claims for false arrest and detention, assault and battery, conversion, loss of consortium, and **violation of civil rights**. Common Pleas, Cuyahoga County, No. CV-16-870814, **Sherrie M. Miday, J., 2019 WL 10749634**, granted casino and wife appeal. Patron and wife appealed.

Holdings: The Court of Appeals, **Eileen T. Gallagher**, Administrative Judge, **held** that:
1 three named security officers bore no responsibility for actions of on-duty police officers in arresting patron;
2 one of security officers was not merely present for arrest and search of patron but sufficiently participated to be subject to potential **liability** under § 1983;
3 officers had lawful basis for initial detention of patron;
4 probable cause existed to detain, arrest, and search patron;
5 casino, **employees**, and management service could not be **held liable** under failure to train theory of patron's § 1983 claim;
6 security officers were statutorily immune from **liability** from state law claims; and
7 there was no basis to impose **liability** on management service, casino, or **employees** for state law claims.

Affirmed.

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