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False Arrest of Deserters: An Analysis of Immunity from Federal Civil Liability (Paperback)

By John R Bozeman

Biblioscholar, United States, 2012. Paperback. Condition: New. Language: English . Brand New Book ***** Print on Demand *****.This study discusses false arrest as a basis for liability in civil suits brought on the federal level, and examines the nature and scope of immunity available to protect state and local law enforcement officials, and their employers, from liability for false arrest in connection with deserter apprehension cases. The development of immunity doctrine in the decisions of the United States Supreme Court is analyzed together with trends identified in decisions of the lower federal courts as they have attempted to interpret the Supreme Court's guidelines. Conclusions drawn from these analyses are applied to issues presented by deserter apprehensions pursuant to 10 U.S.C. 808. The discussion develops the principal considerations which may affect liability in three federal civil damage remedies for false arrest: 42 U.S.C. 1983, the Fourth Amendment of the Constitution, and the Federal Tort Claims Act. The varying requirements for each remedy are analyzed by reference to potential defendants: police officers, their supervisors, municipalities, states, and the federal government.



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