How to Navigate AELE’s Online Law Libraries

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How to Navigate AELE’s Online Law Libraries

AELE’s home page is at www.aele.org

Select and click on Free Law Library and Publications

Choice of Publications

Choose a publication to read, or begin your research. There is a Monthly Law Journal and three specialized monthly law reporters.
Discipline and employment law cases, for example, are summarized in the Fire and Police Personnel Reporter, under the yellow banner.

You can access the current and back issues, for each of the three law reporters, since 2000.

Before 2007, each issue of the law reporters contained 10-12 very short narratives of recent cases, chosen by the editors; additional decisions were “noted in brief.” In 2007, all three reporters were reformatted; they now contain 30-36 Case Summaries. All AELE publications became free in June, 2006.
Monthly Law Journal

The Monthly Law Journal also began in 2007. Each edition has an article on police civil liability, another on discipline or employment law, and a third article on jail liability or corrections law.

- Unlike the three law reporters, articles in the Monthly Law Journal focus on a single topic, and discuss both old and newer cases.

There also may also be a special article, usually written by a guest author. Writers are invited to submit an article.

- The Monthly Law Journal is published in PDF format, with citable pagination, and has a Library of Congress assigned ISSN (1935-0007).
Readers also may view a list of articles by topic. Be sure to scroll down.

A sample Law Journal article appears below. It discusses “Civil Liability for Use of Police Dogs.”

- It has hyperlinks to specimen canine policies collected from five police agencies of various sizes.
The Law Reporters

As mentioned, the three monthly reporters no longer contain extensive case narratives (short articles). They have 30-36 succinct Case Summaries, along with the style of the case, the citation, and (if available) a hyperlink to the full text of the decision. Entries are categorized by topic.

Below is the opening page of an issue of the Law Enforcement Liability Reporter.
By scrolling down you can view the 36 Case Summaries in that issue.

- Because the Law Reporters summarize current decisions, topics will differ. Some appear regularly, and others occur less frequently.
Governmental Liability: Policy/Custom

An anseeetor could not establish a town policy of “police harassment” merely on the basis of the current mayor’s statements in a deposition in response to questions about a news article quoting him as saying that he had heard statements telling that officers treated people with their “stares” and their look. The court noted that the mayor also stated, in an affidavit, that he had no personal knowledge of police policies or customs at the time of the arrest. Further, even if he had such knowledge, he was not mayor at the time of the arrest, so that his knowledge would not show that town officials had notice of such police actions or policies. *Whitman v. Town of Saratoga*, No. 07-131-C, 2008 U.S. App. Lexis 6050 (11th Cir.).

Plaintiff in federal civil rights lawsuit over two incidents in which officers allegedly pointed their guns at him, without justification, failed to provide any evidence that the city had a policy authorizing the use of excessive force against African-Americans such as himself, or that the incidents occurred as a result of a municipal policy or custom. The evidence in the record showed official orders telling officers to use the minimum amount of force necessary, and to use deadly force only as a last resort in response to a “grave” threat. Additionally, the two incidents at issue, since they occurred 13 months apart, did not show the existence of a custom. *Watersfield v. City of Pembroke Pines*, No. 07-11805, 2008 U.S. App. Lexis 6044 (11th Cir.).

Interrogation

While an inmate was in custody awaiting trial and in a hospital being treated for asthma, a police officer guarding him allegedly talked with him about his pending case and secretly recorded the conversations, which were then used in the inmate’s criminal trial for rape. No Miranda warning was provided. A federal trial court ruled that these allegations were sufficient to state at least a “theoretical” Fifth Amendment claim for violation of the privilege against compelled self-incrimination. A police chief who was not even employed by the municipality at the time of the incident, and who played no personal role in it, however, was entitled to summary judgment. *Bollany v. Wells*, No. 07-CV-60063, 2008 U.S. Dist. Lexis 5798 (W.D. Va.).

Malicious Prosecution

After a prosecution against a motorist for careless driving was dismissed, she sued the city for malicious prosecution. That claim was rejected, based on a finding that officers had probable cause to issue her the citation, since her vehicle struck the back of another car, and the officers had interviewed both the motorist and the other driver. *Osborn v. City of Tampa, Florida*, No. 07-12633, 2008 U.S. App. Lexis 3724 (11th Cir.).

Negligence: Vehicle Related

A deputy whose vehicle collided with another was engaged in an emergency operation at the time, based on his pursuit of a speeding vehicle, and his actions, which included activating his emergency lights, pulling over to the shoulder of the road, and initiating a U-turn, did not constitute reckless disregard. The deputy had assumed that the speeding vehicle, which was following behind him, was going to stop in response to the activation of lights. The speeding vehicle’s driver did not stop and collided with the deputy’s vehicle. The deputy sued the defendant Florida.

- Note: Court websites sometimes delete older cases. Redesigned websites may change the Internet address (URL). For that reason, some of the links in AELE publications may not work after several months or years. They are current when an issue is put online, but AELE does not check for discontinued links to other websites.

**Online Case Summaries**

One of the most important research tools are the AELE Libraries of Case Summaries. There are three of them: Law Enforcement Civil Liability,
Employment Law, and Corrections Law. There are about 700 different topics in the three Libraries of Case Summaries. Here is the Corrections menu:

A few topics have so many cases that a submenu appears, to refine your research. Below is the submenu for “Disciplinary Interviews & Compelled Reports” in the Library of Case Summaries for Employment Law:
Warning: Some of the older cases in the Summaries (and back issues of our reporters) may no longer be good law! The libraries have more than 25,000 case entries and it is impossible for the editors to research whether cases have been reversed, superseded or modified. The listings are only a research source, not legal advice.

**Search Engine**

Throughout the library are links for a **KEYWORD search**: 

[search Search the Library of Case Summaries]
Click on the underlined link (not the search icon). That will open a new screen:

Search the Library of Case Summaries

Search Tip: handcuff* retrieves entries with any of these words: handcuff, handcuffs, handcuffed or handcuffing. Taser* retrieves entries with any of these words: Taser, Tasers, or Tasered. Numbers, such as 1983, cannot be searched for.

Be sure to type an * at the end of a KEYWORD to find variations in word endings! All 25,000 Case Summaries will be searched.

- The KEYWORD taser* will access Tasers and tasered wherever those words appear, in the Case Summaries that are compiled from the Liability Reporter, the Fire and Police Personnel Reporter or the Jail and Prison Law Bulletin. All three libraries are queried. The search engine cannot search for numbers or symbols, e.g., §1983, 2008, etc. Either capital and lower case letters work.

The Libraries of Case Summaries contain entries since 1975, although the editors have added summaries of a few older, noteworthy decisions.

For example, in the Employment Law Library of Case Summaries, under the topic “Inefficiency, Performance Standards, Negligence and Incompetence,” is a summary of a 1968 case about the demotion of a police major who was fired for his alleged incompetency as a senior-level executive:
“Missouri Supreme Court reverses a police board decision to fire a police major who was promoted beyond his level of competence. City ordered to reinstate him, then to demote him to a lesser rank for which he was qualified. McCallister v. Priest, 442 S.W.2d 650 (Mo. 1968).”

Every month, when new Case Summaries are added to the libraries, the search engine re-sorts the information, so that the database is updated and current.

The search engine will generate the results on a new screen:

When you click on an item, it will open one of the 700 different topical menus.

- Using your browser’s toolbar “Find” or “Search” function, enter the KEYWORD again (but without the * at the end of the word). You should drop down to the first entry with that KEYWORD. Browsers, unlike search engines, will find plural words and those with added suffixes, e.g., handcuffed.

- Do this repeatedly, until you have read all entries with that KEYWORD.
Remember: The search engine accesses all three Libraries of Case Summaries, so it is unnecessary to search for the same KEYWORD for each reporter.

To read the full text of decision that is not posted on the Internet, visit an online retrieval service, such as lexis.com or Westlaw.com

AELE lacks the resources to update its free database of 25,000 entries. If you find that a case is no longer valid, or if you locate a case that the editors have missed, please write us at editor@aele.org

List of Resources

Another useful tool is the “Resources” link. There are three of them, one for each reporter. Here is the one for Civil Liability Law Resources:

- Airline/Airport Security
- Arrest & Imprisonment
- Arson
- Body Armor
- Campus Crime & School Security
- Chemical Weapons
- Child Abuse, Injury & Safety
- Citizen Complaints & Public Relations
- Community Corrections & Policing
- Court Testimony
- Crime Victim Services
- Criminal Justice Statistics & Information
- Criminal Records Access and Maintenance
- Disabilities
- DNA
- Domestic Violence
- Drowning Investigations
- Drugs & Drug Testing
- Emergency Calls & Response
The entries will direct your browser to another website, where the document was originally located by AELE editors. There are likely to be a number of bad links, as those websites are revised or updated. Here are a few specimen entries:

**Chemical Weapons**

Chemical Weapons: "Deaths in Police Confrontations When Oleoresin Capsicum is Used" by Charles S. Petty, M.D., 2/2004, NCJ 204029. 52 pgs. A study of 63 incidents. [PDF].

Report: "The Effectiveness and Safety of Pepper Spray" (April 2003). National Institute of Justice (NIJ). "Though generally assumed to be safe and effective, the consequences of the use of pepper spray, as with any use of force, can never be predicted with certainty. To expand the scope of knowledge on such a complex subject, this Research for Practice examines two unpublished NIJ-funded studies on the use of pepper spray in real-life arrests and compares them with previous studies. While the research does not and cannot prove that pepper spray will never be a contributing factor in the death of a subject resisting arrest, it seems to confirm that pepper spray is a reasonably safe and effective tool for law enforcement officers to use when confronting uncooperative or combative subjects." Full text of the Report: ASCII Text File Adobe Acrobat File.

**Child Abuse, Injury, and Safety**

Article: "Sudden, Unexplained Infant Death Investigations," by Ernst H. Weyand, 73 FBI Law Enforcement Bulletin No. 3, pgs. 10-15 (March 2004). [PDF] "Law enforcement officers can better handle SUID cases after gaining an understanding of their role in these investigations." Also available in HTML format.

**Abbreviations**

AELE uses commonly accepted abbreviations. You can access a list at: Abbreviations of law reports, laws and agencies, which will open this page:
Monthly E-mails

AELE sends an e-mail once a month, announcing when the latest publications have been uploaded. It also highlights several of the more significant cases. You can sign up for this free service by clicking a signup link at the bottom of our home page; it looks like this:

E-mail Alerts
• Sign up for free e-mail alerts

That will open a new menu:
• You will receive a welcome e-mail; you MUST respond to it and confirm your subscription. You may unsubscribe at any time. If you change your e-mail address, “Unsubscribe” your old address and “Subscribe” the new one.

• We respect your privacy! You will not be spammed; your e-mail address will not be sold or rented to outsiders. Our monthly e-mail Alerts do not contain commercial advertising. They are sent in plain text, and can be read on handheld displays, such as BlackBerry® devices.

• While most of our readers are employed in criminal justice or public safety positions, others are students, journalists, public officials, lawyers, community activists and ordinary citizens. Everyone is welcome to benefit from this library, including readers from outside of the United States.
User Agreement

AELE has a “User Agreement” which describes some of the limitations of our libraries. It also reminds readers that they use our libraries at their own risk, as we cannot guarantee the accuracy or continued validity of the entries. AELE is a nonprofit educational organization, not a private law firm.

- Readers should obtain legal advice from other sources.

You can view the entire agreement at www.aele.org/law/useragmt.html

Finally, there are a few important articles and documents that are not in the publications libraries. They can be accessed directly from our Home Page. Under the Library heading, click on IACP Legal Officers conference materials and/or Miscellaneous articles and information.
Ten Points to Remember

1. Each month AELE publishes three law reporters containing unbiased summaries of recently decided cases that impact on police civil liability, discipline and employment law, and corrections. More than 1,200 new cases are summarized each year. In many instances, there is a link to the full text of the decision. More than 300 back issues are online, since 2000.

2. The *Monthly Law Journal* also is gratis. Each issue contains at least three articles on selected topics. Longer articles are split over two or more months. Articles may contain links to specimen policies and other resources. Back issues are on line. New articles are invited from contributors.

3. 25,000+ Case Summaries have been categorized into 700 topics, and date back to 1975. Each month, they are supplemented with new case entries.

4. There is a KEYWORD search engine that scans the Case Summaries, for all 700 topics, and retrieves the results. You, the reader, type the KEYWORD/S.

5. There are three different lists of reader Resources, updated monthly.

6. Unlike commercial websites, AELE publications do not contain commercial advertising. AELE does not endorse branded products or services.

7. Readers can sign up for a monthly e-mail Alert; notifying them when the latest publications have been uploaded. Those e-mails can be forwarded to others, without restriction. They are in plain text, and have no advertising.

8. AELE publications and Case Summaries can be downloaded to a personal computer or duplicated for noncommercial use, including interoffice memos, training documents, academic papers and legal documents.

9. Instructors are invited to assign research questions or projects to their students, which require access to AELE’s online libraries.

10. Our staff can be contacted at info@aele.org
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