**Civil Law in Security Services Key Terms**

**Civil Liability** –potential responsibility for payment of damages or other court-enforcementin a lawsuit, as distinguished from criminal liability, which means “open to punishment for a crime”

**Tort** –a civil wrong for which a private party may sue the tort feasor for restitution **Tort Feasor** –an individual who commits a tort

**Duty** – the obligation not to injure another person or damage another person’s property

**Wrongful Death** –a civil court action in which it is alleged that the tort feasor, by his or heractions, caused the death of a person

**Intentional torts** –willful acts, even those acts that a person honestly believed that he orshe could lawfully commit

**Negligence Torts** –require a violation of a standard of care, or the breech of a duty,proximate cause, foreseeability, and damages or injuries

**Strict Liability** –refers to liability without fault and normally does not involve securityprofessionals

**Probable Cause** –apparent facts discovered through logical inquiry that would lead areasonably intelligent and prudent person to believe that an accused person has committed a crime, thereby warranting his or her prosecution, or that a Cause of Action has accrued, justifying a civil lawsuit

**Malicious Prosecution** –an action for damages brought by one against whom a civil suitor criminal proceeding has been unsuccessfully commenced without probable cause, and for a purpose other than that of bringing the alleged offender to justice

**Invasion of Privacy** –intrusion into the personal life of another, without just cause, whichcan give the person whose privacy has been invaded the right to bring a lawsuit for damages against the person or entity that intruded

**Assault** –intentionally causing fear or imminent, harmful, or offensive touching, but withouttouching or physical contact

**Battery** –intentionally harmful or otherwise offensive touching of another person. Thetouching does not have to be direct physical contact but may instead be through an instrument such as a cane or rock

**Defamation** –injuring the reputation of another by publicly making untrue statements.Slander is oral defamation, while libel is defamation through written words

**False imprisonment** –restraint of a person in a bounded area without justification orconsent. False imprisonment is a common-law felony and a tort. It applies to private as well as governmental detention

**Trespass** –the unauthorized physical invasion of property, or remaining on the propertyafter permission has been rescinded

**Intentional infliction of emotional distress (IIED)** –tort claim of recent origin forintentional conduct that results in extreme emotional distress. Some courts and commentators have substituted mental for emotional, but the tort is the same. Some jurisdictions refer to IIED as the tort of outrage