



False Imprisonment

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False Imprisonment

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The defendant (1) intentionally
(2) confined the plaintiff, and that
the plaintiff
(3) was aware of (or harmed by) the
confinement.

False Imprisonment (more)

Sufficient confinements:

- physical barriers
- force
- imminent threat of force
- improper assertion of legal authority

14 CFR §121.533 - Responsibility for operational control: Domestic operations.

(a) Each certificate holder conducting domestic operations is responsible for operational control.

(b) The pilot in command and the aircraft dispatcher are jointly responsible for the preflight planning, delay, and dispatch release of a flight in compliance with this chapter and operations specifications.

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(d) Ea

command of the aircraft and crew and is responsible for the safety of the passengers, crewmembers, cargo, and airplane.

(e) Each pilot in command has full control and authority in the operation of the aircraft, without limitation, over other crewmembers and their duties during flight time, whether or not he holds valid certificates authorizing him to perform the duties of those crewmembers.

**Does this say the pilot has
“full and lawful authority to
control the actions of the
passengers for their own
safety”?**

14 CFR §121.533 - Responsibility for operational control: Domestic operations.

(a) Each certificate holder conducting domestic operations is responsible for operational control.

(b) The pilot in command and the aircraft dispatcher are jointly responsible for the preflight planning, delay, and dispatch release of a flight in compliance with this chapter and operations specifications.

(c) The aircraft dispatcher is responsible for

(1) Monitoring the progress of each flight;

(2) Issuing necessary information for the safety of the flight; and

(3) Cancelling or redispersing a flight if, in his opinion or the opinion of the pilot in command, the flight cannot operate or continue to operate safely as planned or released.

(d) Each pilot in command of an aircraft is, during flight time, in command of the aircraft and crew and is responsible for the safety of the passengers, crewmembers, cargo, and airplane.

(e) Each pilot in command has full control and authority in the operation of the aircraft, without limitation, over other crewmembers and their duties during flight time, whether or not he holds valid certificates authorizing him to perform the duties of those crewmembers.

Sousanis v. Northwest Airlines

- See a modern context for false imprisonment.
- Consider the boundaries of the doctrine.
- Consider the public policy.
- See the elasticity of the common-law doctrine
 - Consider the reality of a doctrine beyond its blackletter formulation
- Further consider the role of intentional torts in providing a private means of redress for being “messed with”