GRAND PARK LAW GROUP
A PROFESSIONAL CORPORATION

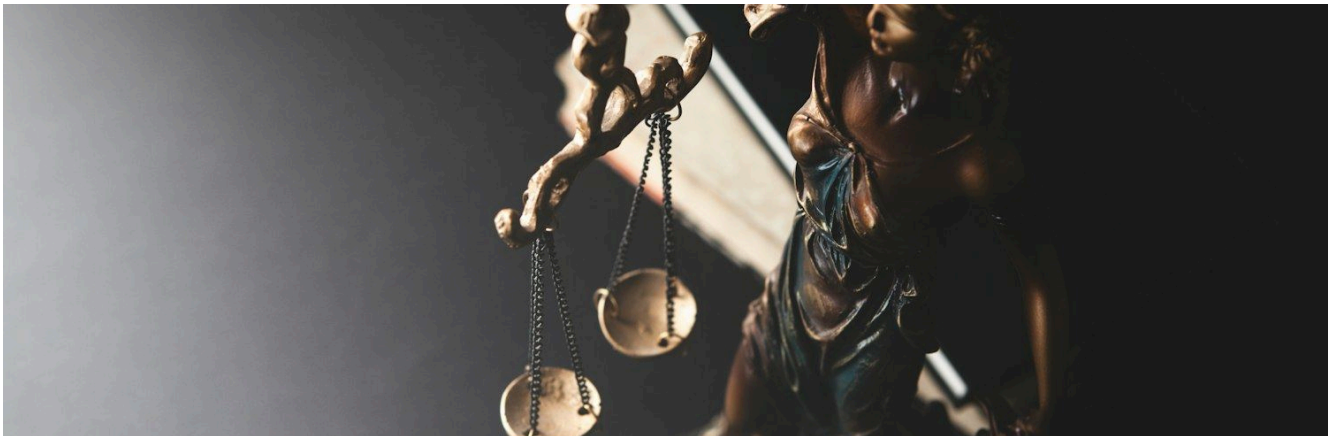
WESTSIDE TOWERS
11835 W. Olympic Boulevard #870E
Los Angeles, California 90064

O:+1 888.629.4754
F: +1 310.900.0805

PRACTICE GUIDE · CIVIL RIGHTS

Theories of Liability & Common Defenses

Grand Park Law Group · 2026



Plaintiff's Theories of Liability

- 42 U.S.C. § 1983 — Constitutional Deprivation42 U.S.C. § 1983
- Fourth Amendment — Excessive Force & Unlawful SearchGraham v. Connor (1989)
- Bane Act (Civ. Code § 52.1)Cal. Civ. Code § 52.1
- Monell Municipal LiabilityMonell v. NYC Dept. of Social Services (1978)
- Ralph Act (Civ. Code § 51.7)Cal. Civ. Code § 51.7
- Fourteenth Amendment — Due Process & Equal ProtectionU.S. Const. Amend. XIV

Common Defense Theories

- Qualified ImmunityHarlow v. Fitzgerald (1982)
- Eleventh Amendment / State Sovereign ImmunityHans v. Louisiana (1890)
- Government Claims Act DeadlineGov. Code § 911.2
- Absolute ImmunityJudges; Prosecutors; Legislators
- No Respondeat Superior for MunicipalitiesMonell v. NYC (1978)
- Causation & Proximate Cause Defense§ 1983 Causation Requirements

Practice	Civil Rights
Publication	Practice guide · 2026

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