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**Course: EDAL 560 K-12 Law**  
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### **Case Analysis**

#### **Brownell v. Los Angeles Unified School District**

**Case Analysis Relevant Facts:** Brownell, a student from Johnson High School, was shot on January 28, 1985, by a gang member after school. The incident happened right outside his school building. He pressed charges against the Los Angeles Unified School District (LAUSD) for neglecting its duty of care. The school was supposed to check outside the building and ensure the safety of the students before dismissing them. The victim had never been a gang member but was "shot because he was mistaken by members of the Bloods for a member of a rival gang, the Crips" (JUSTIA, n.d.). It is reported that before "Brownell was shot, a gym teacher at the high school told Brownell and other class members about an altercation at the school which had occurred at some unspecified time and involved one of Brownell's attackers" (JUSTIA, n.d.). Maddox, dean and counselor at the school, stated that when an incident like that will take place after school, there are usually whispers of it all throughout the school. But the day of the shooting, there was none.

The report stated, "The students at Johnson High School were referred there from other high schools where they had had behavior problems, such as inability to get along with other students, truancy, destructiveness in the classroom, and involvement in gang-related activities" (JUSTIA, n.d.). The school did not have any school police or security guards, but only had "campus aides who could contact the school administrators off-campus . . . by walkie-talkie" (JUSTIA, n.d.). At first, the court found the District to be in breach of its duty of care. LAUSD received a verdict to pay \$120,000 to Brownell for damages caused by the incident. But the District appealed the court's decision and the verdict was reversed in favor of the District.

**Legal Issue:** Whether LAUSD is liable for the off-campus shooting of Brownell under Education Code Section 44808 for negligence to exercise reasonable care.

**Opinion of the Court:** No.

**Reasons for the Court Opinion:** The school satisfied its ordinary duty to supervise the students as it has always done relating to gang problems such as confiscating weapons and forbidding the wearing of gang colors on school ground. In addition, school personnel was not alerted of any potential gang violence that was to occur that day in which Brownell was involved. The court agreed that the school did not have “any duty to supervise to the extent of sending observers outside to scout the. . . neighborhood for gang members off the campus and to wait until, so to speak, ‘all was clear’ before releasing the students” (JUSTIA, n.d.).

## Reference

JUSTIA. (n.d.). Brownell v. Los Angeles Unified School Dist. (1992).  
Retrieved December 6, 2021, from  
<https://law.justia.com/cases/california/court-of-appeal/4th/4/787.html>

Your total Score = 50/50

Overview & Comments on Case Study Brownell v Los Angeles Unified School District.

Summary of Relevant Facts - Your summary is the Gold Standard Rachel. Excellent - A very concise description

Description of the legal issues - Very concise and precise

Court's answer - Perfect summary.

Reasons for Court's Opinion - Excellent summary and reasons given for the fact that the school was not held responsible for the shooting.

This was an excellent detailed submission. It really was your very best.....

Bible Verses for this Christmas Season

“Behold, the Lamb of God, who takes away the sin of the world!” – John 1:29 “For nothing will be impossible with God.” – Luke 1:37 “But when the fullness of the time came, God sent forth His Son, born of a woman, born under the Law, so that He might

redeem those who were under the Law, that we might receive the adoption as sons.” –  
Galatians 4:4-5