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Turner v. Township of Irvington

Superior Court of New Jersey, Appellate Division - April 23, 2013 - A.3d - 2013 WL 1729241

Appeals court holds that immunity statute and provision of Tort Claims Act operate in combination to immunize township from liability for conduct of its 911 operators.

Residents, who placed calls to 911 based on conduct of resident's former boyfriend (who subsequently kidnapped and killed her), brought action against township and dispatchers, alleging negligence predicated on vicarious liability.

The court held that the statute immunizing 911 operators for conduct that is not wanton and willful, and general Tort Claims Act (TCA) provision which immunizes public entities for the wanton and willful conduct of their employees, operated in combination to immunize township from civil liability for conduct of its 911 operators, whether simply negligent or willful and wanton. Both statutory schemes shared common goal of expanding limitations on liability for public entities.

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