Amicus Curiae Brief on “Minor Plaintiffs v Thunder Bay Transportation Authority”

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My name is Allyse M. Donarski. I am a senior undergraduate student in Dr. Amanda Zelechoski’s Psychology and the Law course. The subject I am doing research on is company liability for sexual assaults perpetrated by an employee of said company. The project I will be submitting is an Amicus Curiae Brief on a current civil case in Alpena Michigan of “Minor Plaintiffs v Thunder Bay Transportation Authority.”

This case, “Minor Plaintiffs v Thunder Bay Transportation Authority,” stems off of a closed case, “State of Michigan v Andrew Bartz”, which took place in 2015-2016. “State of Michigan v Andrew Bartz” was a criminal case where a man of the name Andrew Bartz was arrested and convicted of sexually molesting multiple special-needs children while they were on the Thunder Bay Transportation Authority (TBTA) bus line. Bartz was an employee of TBTA as an aide for the bus. His job was to ensure all children being transported from home to school had their seat bucked, stayed in their seats, and did not cause any major distractions or safety concerns for the driver. Over the course of over a year, Bartz took advantage of the children of the bus sexually; many of the victims of Bartz were non-verbal autistic children. TBTA had four cameras on the bus line, but Bartz was not caught for his criminal behavior for over a year. Bartz was convicted and is imprisoned for 16 to 20 years.

“Minor Plaintiffs v Thunder Bay Transportation Authority” is a civil case where the victims and families of the victims are seeking justice for the transportation company being negligent in not checking the tapes thoroughly enough and realizing sooner that Bartz was molesting and assaulting the children riding the bus. Currently, TBTA has a hired attorney who has contracted a neuropsychology facility to test the children’s cognitive abilities as well as their psychological damage from the assaults. TBTA has stated that they will be giving 10 million dollars in compensation to the children and families of the children; this money will be distributed based on the number of sexual assaults the children suffered and based on the psychological damage and trauma each child sustained.

My Amicus Curiae Brief will be an argument of how the court should favor in the case of “Minor Plaintiffs v Thunder Bay Transportation Authority” based on empirical research that I conduct on the issue of company liability and subsequent compensation for sexual assaults perpetrated by an employee of said company. The empirical research will be primarily from literature found on legal and neuropsychological databases. My final poster will also be taking a wider scope, considering the recent allegations and convictions of sexual misconduct in the workplace, seeking to understand corporate views of legality, fault, and compensation to victims. I will be researching case studies as well as Federal and State laws. Furthermore, I will research the ethical nature of company compensation based on perceived trauma of victims.