



## ***LGIT'S COMMANDER'S LOG***

### **March 2007**

#### **A CORRECTIONS OFFICER IS NOT OBLIGATED TO ASK AN INMATE WHETHER HE NEEDS MEDICAL CARE AFTER AN ALTERCATION IN WHICH IT IS APPARENT THAT THE INMATE DID NOT SUSTAIN SERIOUS INJURY**

**QUESTION: IS A CORRECTIONS OFFICER OBLIGATED UNDER THE UNITED STATES CONSTITUTION TO ASK AN INMATE WHETHER HE NEEDS MEDICAL CARE FOLLOWING AN ALTERCATION IN WHICH IT IS OBVIOUS THAT THE INMATE DID NOT SUSTAIN SERIOUS INJURY?**

**ANSWER: NO. IF IT IS APPARENT THAT THE INMATE WAS NOT INJURED DURING THE ALTERCATION, A CORRECTIONS OFFICER IS NOT OBLIGATED TO ASK AN INMATE IF HE NEEDS MEDICAL CARE ONCE THE ALTERCATION ENDS.**

**CASE: *Williams v. Hagen***

**United States District Court for the District of Nebraska,**

**Decided January 30, 2007**

In a recent case decided in the United States District Court for the District of Nebraska, Wesley Lucien Williams (“Williams”), an inmate at the Douglas County Correctional Center, alleged that he was denied his federal constitutional rights when he was subjected to excessive force by corrections officers, denied medical care and wrongfully placed in administrative confinement. The record established that on July 16, 2004, Williams was suffering from suicidal tendencies and emotional distress. On that date, Williams jumped Officer Hagen in an unprovoked attack. Several corrections officers responded to assist Officer Hagen. Williams was eventually brought to the ground, shackled and returned to his cell. Several hours later, Williams requested permission to see the nurse. After seeing the nurse, Williams was placed on suicide watch. He claimed he suffered cuts and bruises, as well as injuries to his arms and ribs, during the altercation.

The defendants moved for summary judgment on each of Williams's claims. In response, Williams argued that he was denied medical care because none of the officers involved in the altercation had asked him if he needed medical attention. The court initially determined that Williams's injuries were *de minimus*. It further determined that, because of the minor nature of the injuries, the officers had not been obligated after the altercation to ask Williams if he needed medical care. Accordingly, the court rejected Williams's argument and found in favor of the officers. In sum, the court ruled that although a delay of several hours in providing medical care to an inmate who has not sustained serious injury may under certain

circumstances constitute negligence, such delay does not implicate the United States Constitution.

**NOTE:** The decision in the *Williams* case establishes that under ordinary circumstances, the protections afforded to inmates by the United States Constitution do not require corrections officers to inquire if an inmate needs medical attention each and every time the inmate is involved in an altercation with an officer or another inmate. As a matter of practice, however, any inmate who is involved in an altercation should be asked if he needs medical treatment. Obviously, if the inmate has sustained a visible injury or requests medical attention; the officers should immediately notify medical staff. This pro-active approach should defeat even a suggestion by an inmate that medical care was denied or delayed.

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