

Bond Case Briefs

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LIABILITY - ALASKA

Mattox v. State, Dept. of Corrections

Supreme Court of Alaska - April 18, 2014 - P.3d - 2014 WL 1512475

Former inmate brought negligence action against Department of Corrections, alleging that Department negligently failed to protect him after he reported being threatened and that he was subsequently assaulted and seriously injured while in prison. The Superior Court granted Department summary judgment. Inmate appealed.

The Supreme Court of Alaska held that:

- As a matter of first impression, Department had duty to protect inmate from all reasonably foreseeable harm, including assaults from other inmates, despite contention that prison officials were only required to act when report of threat communicated immediate, identifiable, and specific danger.;
- Fact issue as to foreseeability precluded summary judgment; and
- Fact issue as to whether Department was on notice of risk of attack precluded summary judgment.