Bond Case Briefs

Municipal Finance Law Since 1971

IMMUNITY - TEXAS

Garza v. City of Donna

United States Court of Appeals, Fifth Circuit - April 26, 2019 - F.3d - 2019 WL 1873271

Arrestee's estate and arrestee's survivors brought § 1983 action against city, relating to arrestee's suicide by hanging in cell in short-term detention facility operated by city's police department, and alleging due process violations in failing to protect arrestee and in the emergency response after arrestee was discovered hanging.

The United States District Court granted summary judgment to city. Plaintiffs appealed.

The Court of Appeals held that:

- Posting of sign that allegedly mockingly invoked torture of prisoners of war, and posting of logo that allegedly favorably advocated vigilante justice, did not support a condition of confinement theory of municipal liability under § 1983;
- Subjective intention that the harm occur is not necessary for municipal liability in episodic act or omission case;
- Sign and logo posted at facility did not announce an official policy of mistreating pretrial detainees; and
- No evidence was offered in support of required elements for single-incident method of demonstrating deliberate indifference to training.

Copyright © 2026 Bond Case Briefs | bondcasebriefs.com