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CORRECTIONS - NEW JERSEY

Thomas v. Cumberland County

United States Court of Appeals, Third Circuit - April 11, 2014 - F.3d - 2014 WL 1395666

Following attack by other inmates at county correctional facility, inmate brought action against county and corrections officers at facility pursuant to § 1983 and the New Jersey Civil Rights Act, alleging failure to train, failure to protect, failure to intervene, and incitement. The District Court granted summary judgment in favor of county and officer. Inmate's claims against other officer proceeded to trial, and jury found in favor of officer. Inmate appealed only District Court's grant of summary judgment in county's favor on § 1983 failure to train claim.

The Court of Appeals held that triable issue remained as to whether county exhibited deliberate indifference to the need for pre-service training for officers in conflict de-escalation and intervention and whether the lack of such training caused inmate's injuries, precluding summary judgment on inmate's § 1983 failure to train claim against county.