
LIABILITY - INDIANA

King v. Hendricks County Commissioners

United States Court of Appeals, Seventh Circuit - March 31, 2020 - F.3d - 2020 WL 1531356

Estate brought action against police officer and county, asserting claims under § 1983, Americans with Disabilities Act (ADA), and the Rehabilitation Act, arising out of death of resident, who suffered from paranoid schizophrenia, at hands of officer who was responding to resident's call for help when he was suffering a mental health crisis.

The United States District Court granted summary judgment to defendants. Estate appealed.

The Court of Appeals held that:

- Officer's use of force did not violate the Fourth Amendment, and
- There was no ADA Title II or Rehabilitation Act violation.

Officer's use of deadly force, shooting and killing resident who suffered from paranoid schizophrenia, was reasonable under the Fourth Amendment, thus precluding resident's estate's § 1983 claim, where resident pointed a large knife at officers who went to his home to perform a welfare check after he called 911 and requested help, resident disregarded officers' repeated comments to drop the knife, and then charged at officer.

If resident, who suffered from paranoid schizophrenia, was denied access to medical services, it was because of his violent, threatening behavior, not because he was mentally disabled, and thus no violation of ADA Title II or the Rehabilitation Act occurred when resident died at hands of officers whom he called for help when he was suffering a mental health crisis; officer's failure to control resident, or disarm him of the knife he was pointing toward officers, was not due to deliberate indifference or inadequate training to deal with disabled individuals, but rather, because resident threatened officer with the knife before officer could subdue him.

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