
IMMUNITY - IDAHO

Williamson v. Ada County

Supreme Court of Idaho, Boise, November 2021 Term - February 25, 2022 - P.3d - 2022 WL 575967

Inmate of county jail brought action against county and sheriff, alleging negligence arising from incident in which inmate suffered head injury during request that he stand for roll call.

The District Court dismissed action. Inmate appealed.

The Supreme Court held that:

- County's decision to use ladderless bunk beds in county jail was discretionary function for which county had discretionary-function immunity under the Idaho Tort Claims Act (ITCA);
- Fact issue as to whether county's decision to require county jail inmate to descend from top bunk bed for roll call was a discretionary function, for which discretionary-function exception to liability under ITCA could apply, precluded grant of county's motion to dismiss; and
- County was not a prevailing party that could recover attorney fees on appeal.

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