

Law Enforcement Officers Are Protected by Qualified Immunity in Community Caretaking Functions

01.17.2017

Sheriff's deputies who used reasonable force to restrain a third party and search a vehicle to assist first responders in providing emergency medical care were entitled to qualified immunity.

In ***Tonja Ames v. King County***, the Ninth Circuit considered whether deputies acted objectively reasonably in using force to prevent a mother from obstructing efforts to save her son's life and in searching a vehicle believed to be an overdose scene. The Ninth Circuit determined that the deputies' actions while discharging their community caretaking function were objectively reasonable in light of the unfolding medical emergency.

The deputies faced a rapidly escalating situation during which the mother prolonged a dire medical emergency through her disregard of a deputy's lawful commands. The Court concluded that the victim's urgent need for life-saving emergency medical care, and the need to protect first responders and other motorists from potential harm, outweighed any intrusion on the mother's Fourth Amendment rights. Additionally, even if the deputy was mistaken in the amount of force required, as a matter of law, the deputy's actions did not rise to the level of plain incompetence or a knowing violation of clearly established law.

The Court also found that deputies had an objectively reasonable basis for searching the vehicle based on their belief it contained a suicide note. It was reasonable for deputies to search the glove compartment given the specific purpose of trying to find any medications or drugs that the victim may have taken.

For further information about this decision or other law enforcement issues, please contact **Jennifer Petrusis**.