

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Rome v. Meyers

353 F. App'x 35 (7th Cir. 2009) · Decided November 20, 2009

SUMMARY

The Seventh Circuit affirmed summary judgment for the Winnebago County Sheriff in an official-capacity action under 42 U.S.C. § 1983 arising from the death of an incarcerated woman who allegedly received inadequate medical care. The court held that the estate failed to present sufficient evidence of a municipal failure-to-train policy or deliberate indifference, including evidence of inadequate training or repeated constitutional violations.

CASE DETAILS

COURT	United States Court of Appeals for the Seventh Circuit
WRITING FOR THE COURT	Evans; Simon; Sykes
JURISDICTION	Federal
DECIDED	November 20, 2009
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff appealed the district court's grant of summary judgment for the defendant on an official-capacity claim under 42 U.S.C. § 1983 alleging failure to train correctional officers and resulting denial of adequate medical care.
STANDARD OF REVIEW	De novo review of the grant of summary judgment, construing all facts and reasonable inferences in favor of the nonmoving party.
PRECEDENTIAL VALUE	Federal Appendix opinion; precedential status is not specified in the opinion text.
PARTIES	Earl Rome, as Special Administrator for the Estate of Christine Rome v. Richard A. Meyers, in his official capacity as Sheriff of Winnebago County, Illinois

TOPICS

- section 1983
- municipal liability
- government liability
- prisoners rights
- civil rights

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the estate presented sufficient evidence to establish municipal liability under 42 U.S.C. § 1983 based on Winnebago County's alleged failure to train correctional officers.
2. Whether the estate demonstrated deliberate indifference through inadequate training in light of foreseeable consequences or through a failure to respond to repeated complaints of constitutional violations.

HOLDINGS

1. A § 1983 claim against Meyers in his official capacity as county sheriff is treated as a claim against Winnebago County itself.
2. The estate could not survive summary judgment because it failed to present evidence of an official custom or policy amounting to deliberate indifference, either through inadequate training in light of foreseeable consequences or through failure to respond to repeated complaints of constitutional violations.

KEY QUOTATIONS

“Governmental entities cannot be held liable for the unconstitutional acts of their employees unless those acts were carried out pursuant to an official custom or policy.” (at 36)

“Establishing municipal liability on the failure to train requires proof of “deliberate indifference” to the rights of persons likely to come in contact with the municipality’s employees.” (at 37)

FACTUAL BACKGROUND

Christine Rome was arrested for disorderly conduct after police observed her behaving erratically and aggressively. During six days in the Winnebago County Jail, she received no medical care, and later treatment was hindered by her refusal to take medication and an inadequate supply of some prescribed medicines. Although her severe mental illness and deteriorating physical condition became apparent, she was not examined by a jail physician until July 17, when she was sent to a hospital; she later experienced renal failure and died.

PROCEDURAL HISTORY

Earl Rome, acting as special administrator for Christine Rome's estate, sued Richard Meyers in his official capacity as Winnebago County Sheriff under 42 U.S.C. § 1983. The district court entered summary judgment for Meyers. The Seventh Circuit reviewed the judgment de novo and affirmed.

DISPOSITION

affirmed

CASES CITED

- *Clancy v. Geithner*, 559 F.3d 595, 599 (7th Cir. 2009)
- *Grieverson v. Anderson*, 538 F.3d 763, 771 (7th Cir. 2008)
- *City of Canton v. Harris*, 489 U.S. 378, 387-88 (1989)
- *Sornberger v. City of Knoxville*, 434 F.3d 1006, 1029-30 (7th Cir. 2006)

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