

SUPREME COURT OF THE UNITED STATES

Goldey v. Fields

606 U.S. 942 (2025) · No. No. 24-809 · Decided June 30, 2025

SUMMARY

The Supreme Court held that Bivens does not provide a damages remedy for an Eighth Amendment excessive-force claim against federal prison officials. The Court concluded that the claim arose in a new Bivens context and that special factors, including congressional action in prisoner litigation, potential effects on prison operations, and available alternative remedial procedures, counseled against extending Bivens. The Court granted certiorari, reversed the Fourth Circuit, and remanded.

OPINION

PRELIMINARY PRINT VOLUME 606 U.S. PART 2 PAGES 942-945 OFFICIAL REPORTS OF THE SUPREME COURT JUNE 30, 2025 Page Proof Pending Publication REBECCA A. WOMELDORF NOTICE: This preliminary print is subject to formal revision before the bound volume is published. Users are requested to notify the Reporter of Decisions, Supreme Court of the United States, Washington, D. C. 20543, pio@supremecourt.gov, of any typographical or other formal errors.

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942 OCTOBER TERM, 2024 Per Curiam GOLDEY, ASSOCIATE WARDEN, ET AL. ». FIELDS ET AL.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT No. 24-809. Decided June 30, 2025 Prison officials at the U.S. Penitentiary in Lee County, Virginia, placed respondent Fields in solitary confinement. Fields alleges that during periodic checks, officials physically abused him. Fields sued the Bureau of Prisons and prison officials for damages, claiming excessive force in violation of the Eighth Amendment.

The District Court dismissed

Fields's complaint, determining he lacked a cause of action under Bivens

v. Siz Unknown Fed. Narcotics Agents, 403 U.S. 388. The Fourth Cir-

cuit reversed, concluding that Fields could proceed with his Eighth

Amendment excessive-force claim for damages.

Held: Bivens does not extend to allow an Eighth Amendment excessive-force claim for damages against federal prison officials. For 45 years,

the Court has consistently declined to extend Bivens to new contexts.

This case arises (In a new context (and special factors) counsel argues

that HCE Boers at of won or EIA Amat excessive-force violations. Congress has actively legislated in prisoner litigation but has not enacted a statutory cause of action for money damages. Extending Bivens to excessive-force claims could have negative consequences for prison operations, and alternative remedial procedures already exist for federal prisoners.

Certiorari granted; 109 F. 4th 264, reversed and remanded.

PER CURIAM.

In *Bivens v. Six Unknown Fed. Narcotics Agents*, 403 U.S. 388 (1971), this Court recognized an implied cause of action for damages against federal officers for certain alleged violations of the Fourth Amendment. The Court subsequently recognized two additional contexts where implied Bivens causes of action were permitted, neither of which was an Eighth Amendment excessive-force claim.

After 1980, we have declined more than 10 times to extend Bivens to cover other constitutional violations. Those many post-1980 Bivens “cases have made clear that, in all but the most un-

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usual circumstances, prescribing a cause of action is a job for Congress, not the courts.” *Egbert v. Boule*, 596 U.S. 482, 486 (2022). Despite those precedents, the U. S. Court of Appeals for the Fourth Circuit permitted the plaintiff here to maintain an Eighth Amendment excessive-force Bivens claim for damages against federal prison officials.

This case began when prison officials at the U.S. Penitentiary in Lee County, Virginia, ordered that plaintiff Andrew Fields be placed in solitary confinement. Prison officials monitored Fields while he was isolated. Fields alleges that during their periodic checks, officials would “physically abuse” him. *Fields v. Federal Bureau of Prisons*, 109 F. 4th 264, 268 (CA4 2024).

Fields sued the Bureau of Prisons (BOP), the prison warden, and several prison officials in federal court for damages, claiming that certain prison officials used excessive force against him in violation of the Eighth Amendment.

The U. S. District Court, for the Western District of Virginia dismissed Fields’s ‘complaint irrelevant’ here the Court determined that Fields lacked a cause of action under Bivens.

Because “the Supreme Court has never ruled that a damages remedy exists for claims of excessive force by BOP officers against an inmate,” the District Court had “no difficulty in concluding that these claims arise in a new context” and that a Bivens remedy was unavailable.

App. to Pet. for Cert. 49a; see *id.*, at 45a-54a.

Fields appealed. In a divided decision, the Fourth Circuit reversed in relevant part, concluding that Fields could proceed with his Eighth Amendment excessive-force claim for damages. The Court of Appeals determined that no “special factors counseled against extending Bivens” here. 109 F. 4th, at 270.

Judge Richardson dissented and stated: “A faithful application of our precedent and the Supreme Court’s leads squarely to the conclusion that we cannot create a new Bivens action here.” *Id.*, at 283.

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After the Fourth Circuit denied rehearing en banc, prison officials sought review in this Court, with the support of the United States as amicus curiae. We now grant the petition for certiorari and reverse.

This Court has repeatedly emphasized that “recognizing a cause of action under Bivens is ‘a disfavored judicial activity.’” *Egbert*, 596 U.S., at 491. To determine whether a Bivens claim may proceed, the Court has applied a two-step test.

First, the Court asks whether the case presents “a new Bivens context”—that is, whether the case “is different in a meaningful way” from the cases in which this Court has recognized a Bivens remedy. *Ziglar v. Abbasi*, 582 U.S. 120, 139 (2017); see *Carlson v. Green*, 446 U.S. 14 (1980); *Davis v. Passman*, 442 U. S. 228 (1979); *Bivens*, 403 U. S. 388.

Second, if so, we then ask whether there are “special factors” indicating that “the Judiciary is at least arguably less equipped than Congress to ‘weigh the costs and benefits of allowing-a damages, ‘actidn:to\praceed:’ ” *Egbert*, 596 U.S. at 492. “That ‘analysis is Shehored “separation of-powers principles.” *Ziglar*, 582 U. S., at 135.

This case arises in a new context, and “special factors” counsel against recognizing an implied Bivens cause of action for Eighth Amendment excessive-force violations. To begin with, Congress has actively legislated in the area of prisoner litigation but has not enacted a statutory cause of action for money damages. See *Ziglar*, 582 U. S., at 148-149.

In addition, extending Bivens to allow an Eighth Amendment claim for excessive force could have negative systemic consequences for prison officials and the “inordinately difficult

undertaking” of running a prison. *Turner v. Safley*, 482 U.S. 78, 84-85 (1987).

Moreover, “an alternative remedial structure” already exists for aggrieved federal prisoners. *Ziglar*, 582 U. S., at 137; see *Correctional Services Corp. v. Malesko*, 534 U.S. 61, 74 (2001). The existence of such alternative remedial procedures counsels against allowing

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Bivens suits even if such “procedures are ‘not as effective as an individual damages remedy.’” *Egbert*, 596 U. S., at 498. For the past 45 years, this Court has consistently declined to extend *Bivens* to new contexts. See *Egbert*, 596 U. S., at 490-491.

We do the same here. The petition for certiorari is granted, the judgment of the U.S. Court of Appeals for the Fourth Circuit is reversed, and the case is remanded for

further proceedings consistent with this opinion. It is so ordered. Page Proof Pending Publication

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REPORTER'S NOTE

The attached opinion has been revised to reflect the usual publication and citation style of the United States Reports. The revised pagination makes available the official United States Reports citation In advance of publication) The syllabus has been prepared by the Reporter of Decisions for the Convenience of the reader and constitutes no part of the opinion of the Court.

Other revisions may include adjustments to formatting, captions, citation form, and any errant punctuation. The following additional edits were made: None