

SUMMARY STATEMENT

Williamson v. Ada County, Docket No. 48289

While incarcerated in the Ada County jail, Appellant Tom Williamson fell from the upper bunk bed during a request that he stand for roll call. Williamson suffered a head injury and sued Respondents Ada County and the Ada County Sheriff (collectively “Ada County”), alleging they were negligent in maintaining unsafe bunk beds, ordering him to descend from the top bunk bed for roll call, and in responding to injuries he suffered. The district court dismissed the case after concluding Ada County was immune from liability under Idaho Code sections 6-904(1) and 904B(5).

The Idaho Supreme Court affirmed the district court’s determination that Ada County’s selection of bunk beds is the type of discretionary decision protected by the Idaho Tort Claims Act. Additionally, the Court affirmed the district court’s holding that Ada County was immune from liability arising from Williamson’s claim that he received improper medical treatment at the jail. However, the Court reversed the district court’s dismissal of Williamson’s claim that Ada County was negligent in ordering him to descend from the top bunk for roll call after concluding the record was insufficient to determine whether the jailer’s decision to order Williamson to descend for roll call was discretionary or operational. The Court vacated the judgment on that claim and remanded the case for further proceedings.

******This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.******