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LDF Issues Statement on Victory in Qualified Immunity Excessive Force Case

Today, the U.S. Court of Appeals for the Ninth Circuit issued a [decision](#) in *Briceno v. Williams*, affirming the district court's denial of qualified immunity to Officer Blake Williams of the San Diego Police Department and permitting Marcus Briceno's civil rights claims to proceed to trial. The Legal Defense Fund (LDF), working with Rights Behind Bars, represented Mr. Briceno, who suffered egregious and unreasonable force at the hands of Officer Blake Williams of the San Diego Police Department.

In its ruling, the Ninth Circuit affirmed the District Court's decision that Officer Williams is not entitled to qualified immunity based on the summary judgment record. The Court also held that, taking the facts in the light most favorable to Mr. Briceno, Officer Williams's use of force was not justified. Mr. Briceno's case now returns to the District Court for further proceedings.

"Qualified immunity cannot, and should not, shield officers who engage in plainly unconstitutional and dangerous conduct," said LDF Assistant Counsel Georgina Yeomans. "Officer Williams' assault on Mr. Briceno was a clear violation of Mr. Briceno's constitutional rights. We commend the Court's ruling, which gives Mr. Briceno the opportunity to seek justice and accountability and recognizes that a qualified immunity defense is improper in this case."

"Too often qualified immunity stands as an impenetrable barrier against accountability for law enforcement and prison officials," said Oren Nimni, Litigation Director at Rights Behind Bars. "The Court's decision today is a good step away from impunity and toward accountability."

It is critical for our courts to hold law enforcement accountable when they violate the law. Qualified immunity must not shield officers from the consequences of their misconduct. In November 2021, LDF and Rights Behind Bars filed the [brief](#) in this appeal.

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Founded in 1940, the Legal Defense Fund (LDF) is the nation's first civil rights law organization. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the Legal Defense Fund or LDF. Please note that LDF has been completely separate from the National Association for the

Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights.