



**For Immediate Release**  
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## **LDF Secures Victory in Qualified Immunity Case**

The Tenth Circuit Court of Appeals issued a [decision](#) in *Hardy v. Rabie*, affirming the denial of qualified immunity from a previous court decision. The [Legal Defense Fund](#) (LDF) represented Ralph Marcus Hardy, a man who was incarcerated within Adams County Detention Facility in Colorado. While in custody, Mr. Hardy fell from the wheelchair he requires for mobility, injured his back and called for medical attention - only to be ignored by jail officials and endure extreme pain for hours.

In its decision, the Tenth Circuit determined that those seeking to hold correctional officials accountable for withholding medical care do not need to articulate the specific amount of time they were in pain for their claim to be successful. The court also determined clearly established law did not require that a jail official serving as a gatekeeper to medical attention know an incarcerated person's exact symptoms or affliction if the official ignored requests for emergency medical attention. Finally, the court also made clear that it was not restricted to cases introduced by plaintiffs when assessing whether to deny qualified immunity.

"This decision is an important blow against the doctrine of qualified immunity. Officials in this case showed a disturbing level of disregard and outright ignored a man in pain who clamored for emergency medical attention. No official who exhibits this level of callous negligence should be immunized," said **Kevin E. Jason, LDF Deputy Director of Strategic Initiatives**. "This ruling creates a path forward for Ralph Marcus Hardy. We are gratified that he will be able to pursue justice."

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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.*