



## Youngberg v. Romeo

457 U.S. 307 (1982)

**Country:** United States

**Region:** Americas

**Year:** 1982

**Court:** Supreme Court

**Health Topics:** Disabilities, Health care and health services, Mental health, Prisons

**Human Rights:** Freedom from torture and cruel, inhuman or degrading treatment, Right to bodily integrity, Right to due process/fair trial, Right to liberty and security of person

### Facts

Respondent, Romeo, a severely mentally retarded adult male, was involuntarily committed to the Pennhurst State School and Hospital (Pennhurst), pursuant to the applicable involuntary commitment provision of the Pennsylvania Mental Health and Mental Retardation Act.

While at Pennhurst, Respondent was injured on several occasions through his own violence and the reaction of other residents. He was later physically restrained for portions of each day while at the infirmary. Respondent sued three administrators of the institution for damages for the alleged breach of his constitutional rights.

The Court of Appeals for the Third Circuit held that the liberty interest protected by the Fourteenth Amendment, rather than the Eighth Amendment prohibition against cruel and unusual punishment of those convicted of crimes, was the correct constitutional basis for these rights. No consensus was reached on the appropriate standard for deciding whether Romeo's rights had been violated.

### Decision and Reasoning

The Court considered whether the Respondent had a constitutionally protected liberty interest under the Fourteenth Amendment to (1) safe conditions of confinement; (2) freedom from bodily restraints; and (3) training or "habilitation" within the institution.

#### Safe conditions of confinement

The Court held that "the right to personal security constitut[ed] a historic liberty interest protected substantively by the Due Process Clause."<sup>[1]</sup> The Court noted that "if it is cruel and unusual punishment to hold convicted criminals in unsafe conditions, it must be unconstitutional to confine the involuntarily committed" who may not be punished at all "in unsafe conditions."

#### Freedom from bodily restraints

The Court held that "liberty from bodily restraint always [had] been recognized as the core of the liberty protected by the Due Process Clause from arbitrary governmental action."<sup>[2]</sup> It added that as this constitutional interest survives lawful confinement, it must also survive involuntary confinement.

#### Training or habilitation

The Court held that Respondent's "liberty interests require[d] the State to provide minimally adequate or reasonable training to ensure safety and freedom from undue restraint." The Court noted that while the State is under no constitutional duty to provide substantive services for those within its border, a duty to provide certain services and care exists where a person is institutionalized and wholly dependent on the State.

The Court chose not to address the more difficult question concerning the existence of a free standing constitutional right to training for involuntary committed mentally retarded persons "even when no type or amount of training would lead to freedom."

The Court vacated and remanded the issue as to whether the State infringed upon the abovementioned

liberty interests. It held that the Respondent's liberty interests were not absolute and must be balanced against the relevant State interests to determine whether a constitutional violation occurred.

The Court held that persons who have been involuntarily committed were entitled to more considerate treatment and conditions of confinement than criminals whose conditions of confinement are designed to punish. But it added that this standard was lower than tests which would require a State to justify use of restraints or conditions of less than absolute safety. The Court stated that more stringent requirements would place an undue burden on the administration of institutions such as Pennhurst and would restrict unnecessarily the exercise of professional judgment as to the needs of residents.

The Court held that the proper standard for determining whether the State has adequately protected Romeo's rights [was] whether professional judgment, in fact, was exercised. It further held that in determining what is reasonable courts must refer to the judgment of a qualified professional, whose decision is presumptively valid.

The Court concluded:

Â [T]he State concedes a duty to provide adequate food, shelter, clothing, and medical care. These are the essentials of the care that the State must provide. The State also has the unquestioned duty to provide reasonable safety for all residents and personnel within the institution. And it may not restrain residents except when and to the extent professional judgment deems this necessary to assure such safety or to provide needed training. In this case, therefore, the State [was] under a duty to provide respondent with such training as an appropriate professional would consider reasonable to ensure his safety and to facilitate his ability to function free from bodily restraints. It may well be unreasonable not to provide training when training could significantly reduce the need for restraints or the likelihood of violence.

[1] *Ingraham v. Wright*, 430 U. S. 651, 673 (1977).

[2] *Greenholtz v. Nebraska Penal Inmates*, 442 U. S. 1, 18 (1979)

## Decision Excerpts

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Respondent [] enjoys constitutionally protected interests in conditions of reasonable care and safety, reasonably nonrestrictive confinement conditions, and such training as may be required by these interests. Such conditions of confinement would comport fully with the purpose of respondent's commitment . . . In determining whether the State has met its obligations in these respects, decisions made by the appropriate professional are entitled to a presumption of correctness. Such a presumption is necessary to enable institutions of this type " often, unfortunately, overcrowded and understaffed " to continue to function. A single professional may have to make decisions with respect to a number of residents with widely varying needs and problems in the course of a normal day. The administrators, and particularly professional personnel, should not be required to make each decision in the shadow of an action for damages. 457 U.S., pp. 324-25.