

Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

Syllabus

LOS ANGELES COUNTY, CALIFORNIA *v.*
HUMPHRIES ET AL.CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE NINTH CIRCUIT

No. 09–350. Argued October 5, 2010—Decided November 30, 2010

The Humphries (hereinafter respondents) were accused of child abuse in California, but were later exonerated. However, under California law, their names were added to a Child Abuse Central Index (Index), where they would remain available to various state agencies for at least 10 years. The statute has no procedures for allowing individuals to challenge their inclusion in the Index, and neither California nor Los Angeles County has created such procedures. Respondents filed suit under §1983, seeking damages, an injunction, and a declaration that public officials and petitioner Los Angeles County had deprived them of their constitutional rights by failing to create a mechanism through which they could contest inclusion in the Index. The District Court granted the defendants summary judgment, but the Ninth Circuit disagreed, holding that the Fourteenth Amendment required the State to provide those on the list with notice and a hearing, and thus respondents were entitled to declaratory relief. The court also held that respondents were prevailing parties entitled to attorney’s fees, including \$60,000 from the county. The county objected, claiming that as a municipal entity, it was liable only if its “policy or custom” caused the deprivation of a plaintiff’s federal right, *Monell v. New York City Dept. of Social Servs.*, 436 U. S. 658, 694; but a *state* policy caused any deprivation here. The Ninth Circuit, *inter alia*, found that respondents did prevail against the county on their claim for declaratory relief because *Monell* did not apply to prospective relief claims.

Held: *Monell*’s “policy or custom” requirement applies in §1983 cases irrespective of whether the relief sought is monetary or prospective. Pp. 4–10.

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(a) In *Monroe v. Pape*, 365 U. S. 167, this Court based its holding that municipal entities were not “person[s]” under §1983 on the provision’s legislative history, particularly Congress’ rejection of the so-called Sherman amendment, which would have made municipalities liable for damages done by *private* persons “‘riotously and tumultuously assembled,’” *id.*, at 188–190, and n. 38. Reexamining this legislative history in *Monell*, the Court overruled *Monroe*. It concluded that Congress had rejected the Sherman amendment, not because it would have imposed liability on municipalities, but because it would have imposed such liability solely based on the acts of others. The Court, on the basis of the statutory text and the legislative history, went on to explain what acts are the municipality’s own for purposes of liability. The Court held that “a municipality cannot be held liable” solely for the acts of others, *e.g.*, “solely because it employs a tortfeasor,” 436 U. S., at 691, but it may be held liable “when execution of a government’s policy or custom . . . inflicts the injury,” *id.*, at 694. Pp. 4–7.

(b) Section 1983, read in light of *Monell*’s understanding of the legislative history, explains why claims for prospective relief, like claims for money damages, fall within the scope of the “policy or custom” requirement. Nothing in §1983 suggests that the causation requirement should change with the form of relief sought. In fact, the text suggests the opposite when it provides that a person who meets §1983’s elements “shall be liable . . . in an action at law, suit in equity, or other proper proceeding for redress.” Thus, as *Monell* explicitly stated, “local governing bodies . . . can be sued directly under §1983 for monetary, declaratory, or injunctive relief where, as here, the action that is alleged to be unconstitutional implements or executes” a policy or custom. 436 U. S., at 690. To find the “policy or custom” requirement inapplicable in prospective relief cases would also undermine *Monell*’s logic. For whether an action or omission is a municipality’s “own” has to do with the nature of the action or omission, not with the nature of the relief that is later sought in court. Pp. 7–8.

(c) Respondents’ arguments to the contrary are unconvincing. Pp. 8–9.

Reversed and remanded.

BREYER, J., delivered the opinion of the Court, in which all other Members joined, except KAGAN, J., who took no part in the consideration or decision of the case.