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Town of Castle Rock v. Gonzales, 125 S. Ct. 2796 (2005)

Type of Action

The type of action in this case was in issue.

Facts of the Case

Jessica Gonzales the plaintiff in the case was a woman who had undergone some form of Separation. She and her husband were estranged and she managed to get a restraining order to keep her violent estranged husband away from her. The husband managed to disobey the restraining order and when she went to the police station complaining that her husband was violating the restraining order that had been issued by the court. One time, the husband while in contravention of the restraining order went to Castle Rock Police Station and started a heavy shoot-out and during the exchange of fire between him and the police the three kids were killed.

Ms. Gonzalez then brought an action against the municipality of Castle Rock, Colorado, the Police Department and three individual police officers whom she had talked to with regards to the same issue; for failing to enforce a domestic abuse restraining order against her estranged husband. Ms.

Gonzalez filed her suit in the United States District Court for the District of Colorado alleging a failure to respond properly to complaints of restraining order violations. However, a motion to dismiss the claim was allowed and the matter was dismissed on the grounds that Ms. Gonzalez had not stated a claim.

Ms. Gonzalez then appealed the matter having not been satisfied with the decision of the United States District Court for the District of Colorado. The appeal was filed at the United States Court of Appeal for the 10th circuit. The

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Tenth Circuit Court of Appeal reversed the decision of the United States District Court for the District of Colorado but held that the three individual officers sued in the matter had qualified immunity and as such could not be sued.

Contentions of the parties

The originator of this suit, Ms. Gonzalez argued that because the police failed to enforce a restraining order as a result of which she lost three kids, she was entitled to monetary compensation from the town and the police. It was the defendants' contention that such a claim did not exist in law and as such was bad in law.

Issues

Was enforcing of a restraining order mandatory on the part of the town and the police? Was Ms. Gonzalez entitled to monetary compensation from the town and the police?

Decision of Court

No, the enforcement of a restraining order was not mandatory according to Colorado laws and Ms. Gonzalez was not entitled to monetary compensation. The United States Supreme Court reinstated the District Court's order of dismissal . The Majority opinion of the United States Supreme Court was that enforcing of restraining order was not mandatory under the laws of Colorado and as such could not grant a person any rights over the enforceability of the restraining order. A similar opinion by Justice David Souter was to the effect that enforcement of a restraining order was a process and not the interest that the process serves to protect and as such enforceability of a restraining

order to protect the interest that the process sought to protect was invalid in law.

Dissenting Opinion

A dissenting opinion by Justice John Stephens stated to the effect that the law created a statutory guarantee of enforcement which is meant for the benefit of the individual and constituted a protected property interest and as such he did not with the Supreme Court's majority opinion that such a claim did not deserve monetary compensation.

Rule of Law

The enforcement of a restraining order was encapsulated in the statute not as a fashion accessory but to serve the dwellers of Colorado. The fact that the statute did not expressly grant or confer any rights on the enforceability does not give sufficient cause not to observe the same. It is only reasonable that such measures bolster the working of the police and other state agencies to implement the demands of the Statute.

Reference

Hugenberger, J. (2009). Redefining Property Under the Due Process Clause: Town of Castle Rock v. Gonzales and the Demise of the Positive Law Approach. *Boston College Law Review*, 1-43.

Yuen, T. L. (2009). No Relief: Understanding the Supreme Court's Decision in Town of Castle Rock V. Gonzales Through the Rights/Remedies Framework. *American University Law Review*, 1-39.