

**United States Supreme Court**  
**O'CONNOR v. DONALDSON, (1975)**

**No. 74-8**

**Argued: January 15, 1975    Decided: June 26, 1975**

**Facts of the case**

On January 3, 1957, Kenneth Donaldson was committed on the petition of his father, following a brief hearing before a county judge. Twelve days later, he was admitted to Florida State Hospital and soon thereafter diagnosed as a paranoid schizophrenic. The committing judge told Donaldson that he was being sent to the hospital for “a few weeks”. Instead, he was confined for almost fifteen years.

When Donaldson was admitted in 1957, J.B. O'Connor was Assistant Clinical Director of the hospital; O'Connor was also Donaldson's attending physician until he transferred wards on April 18, 1967. John Gumanis was a staff physician for Donaldson's ward. Donaldson was denied grounds privileges by Gumanis and confined to a locked building with sixty closely-quartered beds. As a Christian Scientist, Donaldson refused to take any medication or to submit to electroshock treatments. According to Donaldson, he received cognitive therapy from O'Connor no more than six times. In essence, the hospital provided Donaldson with subsistence-level custodial care, and a minimal amount of psychiatric treatment. Donaldson challenged his continued commitment several times, but each challenge was denied with little explanation.

In February 1971, Donaldson charged O'Connor and other members of the hospital's staff under § 1983 with intentionally and maliciously depriving him of his constitutional right to liberty. Evidence at trial showed that the staff had the power to release a mentally ill, committed patient if he was not dangerous to himself or others, but that the staff did not exercise this power. The jury trial found in favor of Donaldson, assessing both compensatory and punitive damages against O'Connor and Gumanis. O'Connor appealed his case separately, and the United States Court of Appeals for the Fifth Circuit, affirmed the jury's verdict. The court rejected O'Connor's argument that the trial court improperly barred the jury from finding that O'Connor acted in good faith. The jury instruction was valid because it explicitly stated that the defendants' reasonable belief that Donaldson's confinement was proper would

preclude damages. Any reliance on state law would fall under this consideration of O'Connor's good faith intentions.

## **Question**

Did the Fifth Circuit properly consider the trial court's failure to instruct the jury on O'Connor's claimed reliance on state law?

## **Conclusion**

No. In a unanimous decision written by Justice Potter Stewart, the Court vacated the judgment of the Fifth Circuit. While the trial court properly instructed the jury on the relevance of O'Connor's good faith intentions, Justice Stewart held that the Fifth Circuit must determine if the trial court properly instructed the jury on O'Connor's reliance on state law. Justice Stewart acknowledged that the state cannot constitutionally confine a non-dangerous, mentally ill person capable of living outside of a mental health facility. He noted, however, that neither the trial court nor the Fifth Circuit acted with knowledge of the Court's most recent decision on the scope of state officials' qualified immunity, *Wood v. Strickland*. Under that decision, the relevant question for the jury was whether O'Connor knew his actions would deprive Donaldson of his constitutional rights, or whether he maliciously deprived him of his constitutional rights. The Court remanded the case back to the Fifth Circuit to be reconsidered with this test in mind.

Chief Justice Warren Burger concurred. He argued that the Fifth Circuit should consider Donaldson's consistent refusal of medical treatment to be taken into account in considering the respondent's good faith defense. Chief Justice Burger also would have ordered the Fifth Circuit to consider the hospital staff's potential reliance on Donaldson's repeated unsuccessful attempts to seek release through the Florida court system.