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By Daigle Law Group

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Handcuffs, Harm, High-Risk Stops – Fifth Circuit Grants Qualified Immunity in Lewis v. Delgado

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The United States Court of Appeals for the Fifth Circuit recently issued an opinion in *Lewis v. Delgado*, 163 F.4th 926 (5th Cir. 2026), a case that considers when officers are entitled to qualified immunity for briefly handcuffing a person with a medical condition during a high-risk stop. The Fifth Circuit held that, even if the officers knew about Lewis's condition beforehand, their actions did not violate clearly established law under the circumstances.

Summary of the Facts

In November 2020, the Rosenberg Police Department received a 911 report that a group in a white Dodge Charger with black rims and tinted windows was driving around and brandishing firearms at bystanders. Shortly afterward, Officer Vasquez spotted a car that matched the description. He radioed for backup, and Officers Clausen, Neport, Love, and Delgado responded within a few minutes. The officers initiated a high-risk vehicle stop to address the possibility that the occupants were armed and dangerous. In accordance with department procedure, the officers instructed the driver to throw the car keys out of the window. Officers then ordered the car occupants to get out one at a time, directed them to walk backward toward them, and placed them in handcuffs behind their backs while the officers continued to secure the scene and check for threats from the vehicle. The interaction was recorded by Officer Clausen and Officer Vasquez on their body cameras.

The vehicle was driven by Michael Lewis, an elderly man returning home with his partner, Regina Armstead, after dialysis treatment. Neither Lewis nor Armstead had weapons or any connection to the reported armed group. Lewis had a dialysis stent in his arm. He claimed that he tried to communicate that handcuffing him could damage the stent and expressed his discomfort as officers handcuffed and moved him, including by grunting or wincing and making some reference to his dialysis situation. However, the record showed only a limited verbal complaint and no repeated, explicit cuff-related protest. The handcuffing and restraint lasted for a short period, roughly six minutes in total from the initial cuffing until the officers removed the handcuffs. After the incident, Lewis had wrist pain. He also discovered that his stent had been damaged at his next dialysis appointment and eventually underwent surgery to repair it.

Lewis brought a Fourth Amendment claim under 42 U.S.C. § 1983, alleging that the officers used excessive force and that they were not entitled to qualified immunity. The district court denied the defendant officers qualified immunity, finding that there was a genuine issue of material fact about whether the officers had advance notice of Lewis's dialysis stent and related medical vulnerability before handcuffing him and that a jury could find excessive force in light of that notice. The officers appealed to the Fifth Circuit Court of Appeals.

United States Court of Appeals for the Fifth Circuit

On appeal, the Fifth Circuit considered whether a factual dispute over the officers' advance notice of Lewis's medical condition was material to the qualified immunity analysis. The court concluded that, with or without notice, the officers' conduct in handcuffing Lewis during a high-risk stop did not violate clearly established law under the Fourth Amendment.

The court reiterated that, under the qualified immunity framework, a plaintiff must show both a constitutional violation and that the right was clearly established at the time of the conduct. The court emphasized that either prong could be examined first and that, if one fails, it need not look at the other. The court first examined whether the officers violated Lewis's clearly established right and acknowledged the cases Lewis cited in attempting to show that the defendant officers violated a clearly established right.

Addressing the first case, *Dewille v. Marcantel*, officers "broke the plaintiff's car window, pulled her from her vehicle, threw her against the side of her car, and then applied tight handcuffs" during a routine traffic stop. In *Dewille*, the court ultimately denied the officers qualified immunity after the plaintiff sustained significant injuries to her wrists, abdomen, jaw, and head. Lewis also cited *Heitschmidt v. City of Houston*, a 1998 Fifth Circuit case where the court denied qualified immunity after "the plaintiff suffered 'serious and permanent injury to his wrists' after police left him in handcuffs for four and a half hours, ignoring his repeated complaints that the handcuffs were too tight." The court distinguished these cases, concluding that they involved substantially greater force, longer durations of handcuffing, or more obvious or repeated complaints of severe pain. Further, the court emphasized that these cases did not involve exigent circumstances, such as the high-risk armed stop in this case. The court explained that, in this case, the officers needed to promptly secure the scene to search for the armed suspects. Moreover, Lewis was handcuffed for only a few minutes, and it was unclear whether he repeatedly issued clear, specific warnings that the handcuffs were damaging the stent. Therefore, the court concluded that neither *Dewille* nor *Heitschmidt* was applicable to the defendant officers' conduct in this case.

Next, Lewis argued that when officers encounter a non-resistant, compliant suspect, officers are permitted to use only minimal force. The court reviewed each case cited by Lewis and found that each involved substantially more force than the officers used here. In one case, officers shoved a handcuffed person's head against a car window with enough force to break two teeth. The court found that the persuasive authority Lewis cited from other circuit courts also involved longer durations of restraint or more obvious or repeated complaints of severe pain. The court explained that Lewis was handcuffed for less than six minutes and did not complain or tell the officers that he was in pain. Moreover, the only discomfort that Lewis showed was briefly grunting and wincing as an officer helped him to his feet after handcuffing him. The court found that even if the officers saw these signs of discomfort, which resulted from the handcuffs rather than Lewis's difficulty getting to his feet, it is "a far weaker indicator of pain than plaintiffs' repeated complaints in Lewis's cited opinions."

As no previous precedent clearly established that briefly handcuffing a compliant, medically vulnerable suspect in a high-risk stop violated the Fourth Amendment under analogous conditions, the court held that the law in this case was not beyond debate. Therefore, reasonable officers in the defendants' position would not have been on fair notice that their conduct was unlawful. Given its conclusion on the clearly established prong, the court found it unnecessary to decide whether the officers' actions constituted excessive force under the Fourth Amendment. Thus, the Fifth Circuit ultimately reversed the district court's denial of qualified immunity and rendered judgment in favor of the officers on Lewis's excessive force claim.

Key Takeaways

Lewis emphasizes that officers may use brief handcuffing during high-risk stops when facing a reasonable possibility of armed suspects. Even if the subjects appear compliant and later assert medical vulnerability, it is still allowed as long as the force is proportionate, limited in duration, and tied to concrete safety needs. However, it is crucial that officers listen for and document any medical complaints, monitor the length of time a person remains restrained, and reassess the need for handcuffs as the perceived threat diminishes.

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