



otherwise likely to misbehave. Thus, it seems clear that Police Department rules and regulations, and orders from superior officers, were not being observed. Indeed, had prevailing orders been implemented, there would have been at least four officers on duty in the cell block, and, presumably, plaintiff would not have suffered injury. But plaintiff can recover damages in this action only by establishing that his constitutional rights were violated, and that the violation was attributable to some established policy or practice of the City of Philadelphia. Monell v. New York City Dep't of Social Services, 436 U.S. 658 (1978); Andrews v. City of Philadelphia, 895 F.2d 1469 (3d Cir. 1990). Moreover, a government employer owes no constitutional obligation to provide its employees with minimum levels of safety and security in the workplace. Collins v. City of Harker Heights, 503 U.S. 115, 127 (1992); Schieber v. City of Philadelphia, 320 F.3d 409, 417-18 (3d Cir. 2003).

On the undisputed facts of this case, the City of Philadelphia cannot be held liable to plaintiffs.

An Order follows.

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CARLOS RODRIQUEZ and	:	CIVIL ACTION
COLLEEN RODRIQUEZ	:	
	:	
v.	:	
	:	
CITY OF PHILADELPHIA	:	NO. 07-cv-04021-JF

ORDER

AND NOW, this 9<sup>th</sup> day of December 2008, upon consideration of the defendant's motion for summary judgment, and the response, IT IS ORDERED:

1. JUDGEMENT is ENTERED in favor of the defendant, City of Philadelphia, and against the plaintiffs.
2. The Clerk is directed to close the file.

BY THE COURT:

/s/ John P. Fullam  
John P. Fullam, Sr. J.