



News

Hinshaw Obtains Victory for Sangamon County Deputy Sheriff in Section 1983 Excessive Force Lawsuit

March 23, 2015

Raylene DeWitte Grischow obtained a victory in a lawsuit involving defendant Sangamon County Deputy Sheriff, who was alleged to have used excessive force when he tased plaintiff bar owner during a bar fight. The bar owner asserted claims under Section 1983 and for false arrest.

On the night at issue, the deputy sheriff—and others from additional area police departments—units responded to a late-night dispatch call alerting him of a fight in progress at a Springfield, Illinois tavern. By the time police officers arrived, the fight had spilled outside the bar, and the bar owner, who was intoxicated, was among the crowd involved. The bar owner was repeatedly warned by the deputy sheriff and other police officers to stay back and let the officers investigate and break up the fight. He consistently failed to obey those orders, directed profanities at the officer and shoved the deputy sheriff. The deputy sheriff informed the bar owner that he was under arrest and, after the bar owner continued to disregard the officer's orders, brandished his taser and warned the bar owner that his continued defiance of orders to back up would result in his being tased. The bar owner continued to disobey the orders and verbally demonstrated defiance of the deputy officer's requests to move away. The deputy sheriff then tased the bar owner, whose attempts to defeat the device by swiping at the taser wires re-activated the taser four times, resulting in four tases.

The jury found in favor of the deputy sheriff and awarded a defense verdict.

Offices

Springfield