

Settlement reached in police Taser case

Monticello on hook for 10% of \$500,000 payout to man who sued over injury

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A 6-year-old federal lawsuit accusing an officer with the Monticello Police Department of shooting a man with a Taser, causing him to fall and hit his head, and resulting in a brain injury, was dismissed Friday after the city settled the case for \$500,000.

Little Rock attorney Austin Porter Jr., who filed the lawsuit in 2013 on behalf of Sheldon Thompson, then 55, said the judgment will be paid mostly by the Arkansas Municipal League, which defended the Drew County city, but that the city will have to pay 10% of the settlement.

The settlement was reached Tuesday during a conference before U.S. Magistrate Judge Joe Volpe, leading U.S. District Judge Kristine Baker to dismiss the case on Friday.

According to court documents, Thompson was walking with two other people on Cooper Street — “a notoriously narrow road that has no sidewalks and is sided by deep ditches” — about 1 a.m. on Dec 12, 2010, when he was confronted by of-

ficer Ray Singleton, who is no longer with the department.

At the time, Thompson was only about 20 feet away from his home — his destination. The officer asked the three to stop. Thompson's companions — his teenage nephew and a friend of Thompson's — did as instructed, but Thompson continued walking.

Singleton got out of his cruiser and ordered the other two men to place their hands on the patrol vehicle, though Porter said he had no legal basis to do so because he “had no reasonable suspicion to believe” that the men had committed a crime or were about to do so. Another court document indicated that the officer believed Thompson had committed a minor, nonviolent crime.

Thompson, who was admittedly drunk and “disagreeable,” refused Singleton's commands to walk back to the cruiser, at which point, the officer shot him with a Taser, causing him to fall and strike his head on the pavement, according to court documents.

The fall knocked Thompson unconscious and resulted in se-

vere brain trauma, according to the lawsuit. It said Thompson was taken by ambulance to a Monticello hospital, but after being released and then suffering a brain seizure and falling into a coma, he was transported to a Little Rock hospital, where he underwent emergency brain surgery.

Thompson was later transferred to a nursing home for recuperative care and continues to suffer from seizures as a result of the Taser incident, the lawsuit alleged. It noted that he had never had a seizure before the Taser incident.

Although police charged Thompson with disorderly conduct, public intoxication and resisting arrest, the charges were eventually dropped.

The lawsuit alleged that Thompson's constitutional rights were violated when excessive force was used on him, noting that the neighborhood where the Taser incident occurred was regularly patrolled by Monticello police, who liked to “harass many of the African-American members living in that community.”

Although Baker had dis-

missed some of the original claims in the lawsuit, the case was headed to a jury trial beginning Monday on whether the officer's use of the Taser was objectively reasonable under the circumstances. Remaining defendants were Singleton in his official and individual capacities, former Police Chief Eddy Deaton in his official capacity, and the city of Monticello.

The case was delayed when, in October 2016, Singleton appealed Baker's refusal to dismiss the claims against him on the basis that he was protected from liability by qualified immunity. In July, the 8th U.S. Circuit Court of Appeals in St. Louis affirmed Baker's ruling.

Neither Amanda LaFever, an attorney who represented the defendants for the Municipal League, nor the city's new police chief, Jason Akers, returned a reporter's calls about the case on Friday.

The Monticello newspaper, the *Advance Monticellonian*, reported in late February that Akers would be replacing Deaton, who planned to retire at the end of March.