

Plaintiffs claim abuse by MPD

By Scott Johnson
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Three people with disabilities — a paraplegic man, a woman with degenerative bone disorders and a man who has had multiple surgeries — have filed a lawsuit saying they have been abused by Montgomery police officers.

The lawsuit, which was filed Thursday, names the city of Montgomery and six unknown police officers as defendants. It contends that the abuse occurred during separate incidents.

Mayor Todd Strange said the internal affairs section of the city's legal department reviewed the claims when they initially were brought against the city and found no evidence of wrongdoing.

Strange said internal affairs investigates residents' complaints against the city.

"We take all allegations seriously," Strange said.

The investigation involved interviews with police officers as well as the people bringing the complaint, Strange said.

The Montgomery Police Department referred all questions about the lawsuit to city attorney Kim Fehl, who said she could not comment on pending litigation.

Julian McPhillips said he had hoped to avoid filing the lawsuit.

"We bent over backwards for the city to try to resolve things," McPhillips said.

McPhillips said the case likely would not lead to a large

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From left, Miguel Johnson, attorney Alfred Harris, Dashad Berry, attorney Julian McPhillips and Kamesa Williams discuss the lawsuit filed against the Montgomery Police Department.

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monetary settlement, but taking the case was the right thing to do.

The claims

Dashad Berry is paralyzed from the chest down and uses a wheelchair.

Berry said officers pulled him out of a car, then let him fall, injuring his back.

Berry said that on March 18, he was riding in a car with some friends when they were stopped at a checkpoint.

Officers told everyone to get out of the car, Berry said. He told police officers that he was paraplegic and they asked him what that meant, he said.

Berry told them it meant he was paralyzed, and an officer said he was lying, he said.

Officers told him they would use a Taser on him if he did not get out of the car, and he repeated that he was unable to, he said.

Finally, Berry said officers handcuffed him and pulled him from the car to put him in a patrol car.

Berry said he fell and injured his back on the bottom of the door well of the police car. The suit alleges that his fall was the result of a deliberate act by an officer.

Berry said he has photos of the injuries to his back.

The officers searched the car, found nothing and let Berry and his friends go, he said.

Kamesa Williams said she was in the front yard of her mother's house on July 30 when a police officer knocked her to the ground, then stomped on her back when she was face down.

Williams has avascular necrosis, modcular necrosis and arthritis, the lawsuit states.

Williams was there along with her mother, two daughters and two neighbors, she said.

There had been a shooting

the day before, and a shooting on an adjacent street that day brought the police back in force, according to the lawsuit.

A police officer ordered everyone in the yard to drop to the ground, the lawsuit states.

Williams said her condition makes it hard for her to lower herself to the ground, and she apparently was moving too slowly for one police officer.

"A short police officer came around a truck and just stomped me down right on my face," she said.

The officer then stomped on her back, she said.

Williams has a shirt with a dirt stain on the back that she said is the footprint of the officer's boot.

When Williams told the officer that she is disabled, the officer uttered a profanity-laced statement, saying that he didn't care, according to the lawsuit.

The officer continued to liberally use the expletive, including when her 16-year-old daughter asked why he had kicked her, Williams said.

Williams said she suffered multiple injuries and a worsening of her existing conditions and is having to take additional medication.

She also said she suffered ant bites and felt humiliated as ants continued to crawl from her clothes when she was in the hospital.

Miguel Johnson said he was mistreated after he accused a police officer of stealing money from him.

Johnson said an officer kned him in the back and forced handcuffs on him after he requested an extra pair of handcuffs because of his size.

Johnson said although he told officers he couldn't bend his knees normally because of surgeries on his legs and hip, they still forced him into the back of a patrol car. He said an officer then yanked him out of the car once they arrived at the police station.

Johnson said he had stopped to change a tire when an officer approached him. Johnson said the officer was rude and making sarcastic comments.

The officer asked to see his license, and Johnson handed him his wallet as he continued to work on his car, Johnson said.

When a wrecker arrived to tow his car, Johnson said he remembered that he still didn't have his license back. He said he asked the officer if he could have his wallet back.

Upon opening his wallet, he found that there was \$100 inside — not the \$800 that had been in there before, he said.

Johnson admits that he lost his temper at that point.

"I went haywire," he said.

Johnson called the Police Department, and a separate officer arrived, he said.

The officer kept telling him to shut up and would not let him explain what happened, he said.

When another police officer showed up, he said, the officer who arrived first started yelling at them to shoot or use a Taser on him.

When his wife stepped in front of him, an officer pushed her to the ground, he said.

When officers went to arrest him, he said he told them he would need two sets of handcuffs, but Johnson said the policeman cursed him, saying he wouldn't "get two sets today."

He said a police officer did a "football rush" to shove him into the back of the patrol car. He said he had told the officer that he had pins in his knee and hip from surgeries, had tumors removed from one leg and could not bend his knees properly.

Of the three, only Johnson was arrested or accused of a committing a crime. He was charged with disorderly conduct.

McPhillips said the lawsuit does not reflect on the entire Police Department but instead shines a spotlight on the reckless actions of a few police officers.

"We respect the Police Department for the good things they do, but there are officers that are kind of roguish," McPhillips said.