

NEWS

Lawsuit: Lansing police officers choked, petitioned medics to subdue man with ketamine



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LANSING — Lansing police officers choked, beat and asked medical providers to administer ketamine to a man during and after a May 2020 arrest, according to lawsuit filed Monday in federal court seeking at least \$850,000 in damages.

Glenn Wayne Stewart, of Lansing, in a lawsuit filed Monday, Oct. 31, in the United States District Court for the Western District of Michigan, accused officers Anthony VandeVoorde, Joseph Bacigal, Brandon Russell, Alina Harrington and Jason Murdock of acting illegally when they arrested him on the screened-in porch of his North Martin Luther King Jr. Boulevard residence on May 15, 2020, after claiming he assaulted his sister.

Court records show Stewart was charged May 15, 2020, with resisting and obstructing a police officer, and assault and battery. Officials set his bond at \$5,000, which he posted three days later. A preliminary examination took place about four months later on Sept. 17, 2020, at which time Judge Kristen Simmons dismissed both charges.

In the lawsuit filed on Stewart's behalf by attorneys Brendon Basiga and J. Nicholas Bostic, Stewart claims officers used excessive force in violation of his Fourth Amendment rights, failed to prevent the use of excessive force, invaded his privacy, committed a false arrest, subjected him to false imprisonment and malicious prosecution, and said the city of Lansing failed to train and supervise its officers.

Stewart is asking for least \$25,000 against each officer for each of six counts in the lawsuit. The city of Lansing also is named in the lawsuit and Stewart is seeking at least \$100,000 from the city. In addition to physical injuries and the humiliation of the incident, he claims he has also developed anxiety, particularly when he sees police officers.

"(Stewart) was injured to the extent that he suffered the anxiety, stress, and worry associated with facing criminal charges carrying a possible period of incarceration and out-of-pocket expense," the lawsuit added.

LPD Public Information Director Jordan Gulkis said the city has not been served with the lawsuit, and officials can't comment.

Stewart's suit claims police responded to his home about 12:30 a.m. May 15, 2020, after a neighbor called police claiming Stewart was "being loud and making threats." VandeVoorde and Bacigal began speaking with Stewart, who was standing on his porch next to his sister.

Police used the determination that Stewart assaulted his sister as a reason to break open the enclosed porch's door and detain the man. The suit says police took Stewart to the floor and held his limbs and torso as they struck his neck and ribs. At least one other officer choked him, he said, and his nose began to bleed, soaking his protective COVID-19 facemask in blood.

"Defendants were yelling at plaintiff to put his arms behind his back while he was already on the floor but he was unable because at least two of the defendants had their body weight on his back and his arms were under him," the suit claims.

After being arrested and taken to police headquarters, Stewart complained about injuries and was transferred to a hospital emergency room. While at the hospital, the lawsuit said, Harrington prepared a petition for a "Person Requiring Treatment" that included false and misleading statements.

Stewart had refused medical treatment, according to the lawsuit, but the suit mentions "statements" made by the man as the reason for "chemical restraint."

Basiga did not respond to an immediate request for comment regarding the content of those statements.

"The Person Requiring Treatment petition was provided so the medical staff could give a chemical restraint to Plaintiff and treat Plaintiff without his consent," the lawsuit said, noting the restraints used were the drugs Ketalar and Ativan, also known by their generic names ketamine and lorazepam. The medications left him unable to move and leave the hospital.

When asked whether police officers prepare such petitions, Gulkis said "the police department does not dictate treatment of patients."

He was also placed on a respirator while having difficulty breathing, sustained a contusion on his hand, had multiple abrasions and blood in his urine.

"Plaintiff's blood work returned with an elevated level of a protein that develops when blood clots break apart and is associated with pulmonary embolism," the lawsuit said. A pulmonary embolism is a sudden blood clot in an artery within a lung. He was discharged from the hospital the next morning.

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