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Federal Lawsuit Alleges Suffolk County Officers Ripped Man's Prosthetic Leg From His Body

The lawsuit claims police conducted a warrantless search, and charged the man for possessing medication he had a prescription for.

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Constitutional Law

Brian Lee

Litigation Reporter

A Long Island attorney for a disabled man filed a federal lawsuit alleging Suffolk County officers ripped her client's prosthetic leg from his body and broke his eye socket last year.

Attorney Heather M. Palmore, a partner with Napoli Shkolnik, filed the civil lawsuit Monday In U.S. District Court for the Eastern District of New York on behalf of Waverly Lucas.

In court papers, Palmore said officers conducted a warrantless search of Lucas's vehicle, turning up Oxycontin pills, which he had a prescription for.

In an interview Thursday, Palmore said it's important to note that Suffolk County officers do not wear body cameras, although a plan is afoot to implement them later this year. But Palmore said surveillance footage was secured from the store, and her client began to record the interaction on Facebook Live.

"There's even documentation of officers taking his prosthetic leg and throwing it in the trunk of a car," Palmore said.

A message left Thursday with the Suffolk County attorneys office was not returned.

The county had yet to file a notice for an attorney appearance in court.

Palmore said the interaction was humiliating, emotionally distressing and physical painful to her client.

"The one thing that he had in terms of balancing out his disability with the rest of the world was snatched from him," Palmore said, noting it's not like someone unclipped the prosthesis and walked away with it.

"It's literally an adhesive glue to the skin," she explained.

"I think the damages here are clear," Palmore added.

The lawsuit requests a jury trial and a \$50 million award for the "extreme and outrageous conduct" allegedly exhibited by Suffolk County officers.

It names Officers Michael Casey and Michael Renna, eight "John Doe" officers and Suffolk County as co-defendants.

Lucas, whose knee is amputated just below his knee, was driving in Wyandach at about 1 p.m. Aug. 18, 2021, when he pulled into the parking lot of the Gulf Gas station, the complaint read.

Lucas parked, locked his car doors and began to walk toward the convenience store when officers Casey and Renna asked for his identification.

Lucas objected to providing his ID without a lawful basis for the request, the lawsuit said. He began to record the interaction on his cell phone.

The complaint said Lucas briefly lost consciousness as officers Casey and Renna placed him in a choke hold. Lucas was handcuffed.

Six other officers helped in the attempt to put Lucas in the back of a patrol vehicle, but those efforts were hindered by Lucas's inability to bend his prosthetic leg, the complaint said.

The officers "physically ripped plaintiff's prosthetic leg from his body in order to fit him into the back of the patrol car," the lawsuit read.

The officers struck Lucas in his face with their elbows while forcing him into the police vehicle, the complaint continued. Lucas didn't resist, the complaint read.

Two John Doe officers allegedly used Lucas's keys to unlock the car, and officers seized and searched the vehicle without a warrant, the complaint said. That search turned up the Oxycontin pills.

Lucas was released from custody hours later, but neither his car nor his damaged prosthetic leg were returned, and officers watched as he hopped from the station, the complaint stated.

None of the officers helped him get home, but Lucas was eventually taken by ambulance to a hospital for treatment of his injuries.

Charges of obstructing governmental administration, resisting arrest and criminal possession of a controlled substance against Lucas were dismissed in June.

The lawsuit alleges Lucas suffered violations of his Fourth and 14th Amendment rights; loss of liberty; pain and suffering; physical injuries; need for past and future medical treatment; emotional trauma and suffering; and economic loss.

Palmore, whose focus is on social justice issues, has worked with nationally recognized attorney Ben Crump on a discrimination case involving Jennifer McLeggan, a Black registered nurse and single mother from Long Island who alleges she faced years-long racial harassment by three next-door neighbors. Crump is the lead attorney for the family of the late George Floyd, among other prominent cases.

Palmore said the lawsuit brought by Lucas, who is black, is an example of how some communities of color in metropolitan New York "are somewhat overpoliced."

"The idea that he's pulling into a store, leaning over to put on his prosthetic leg, locks the door and then is stopped and questioned as he's gone about his regular day—it's beyond me how that ends up being someone who leaves less than 12 hours later from a hospital with a black eye, broken eye socket and prosthesis missing because they never returned it to him," to this day, Palmore said.

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