

[Home](#) / [Local](#) / [Article](#)

Video 'indisputably contradicts' SB police in excessive force case

Posted: Fri 6:26 PM, Sep 09, 2016 | Updated: Fri 6:36 PM, Sep 09, 2016



A South Bend man fought the law, and this time, the law lost. Royce Love, 36, had two criminal convictions reversed by the Indiana Court of Appeals.



"It's a very rare case, it's not something I've seen in over 21 years of doing appeals," said attorney Jeffrey Kimmel.

Royce Love claimed that police used gratuitous violence during an arrest in August of 2013, and the justices essentially agreed after reviewing dash cam video of the incident.

During his arrest, Love was tased twice, kicked three times, including once in the head, struck a couple of times in the torso and bitten on the arm by a police dog.

The Indiana Court of Appeals ruling states, "we cannot blind ourselves to the videotape evidence." The ruling goes on to state, "We find that the particular use of force by the officers was not objectively reasonable."

The officers had testified at trial that Love was completely uncooperative, had ignored their commands and wouldn't stop walking away.

The ruling found that the video "indisputably contradicts" such statements.

"The most important thing it shows is that Royce love got out of his van, after he was stopped, and got down on the ground, and complied with police commands," said Kimmel. "That he was non-combative and that he was lying flat on the ground."

The opinion reads, ""Prior to the officers use of force, Love had not made threatening or violent actions towards the officers, but, in effecting the arrest, the officers nevertheless tased him twice and deployed a dog who bit him."

During a jury trial in 2015, Royce Love was convicted of resisting law enforcement and the mistreatment of a law enforcement animal.

Those are the convictions that were reversed by the Court of Appeals ruling.

The opinion cites a legal theory that when police use excessive force, they're no longer acting in the lawful performance of their duties—in other words, one can't be convicted of resisting law enforcement when law enforcement itself is acting unlawful.

The ordeal began in August of 2013 when Love ran a stop light and lead police on a five minute low speed chase. Love was convicted of resisting law enforcement in connection with the chase and did not challenge that conviction.

Love essentially agree that he deserved to be arrested but not with such violence and force.

"He does feel vindicated because he believes that now there's a just result he was punished and excepted punishment for what he did in leading police on the chase but happy to know he wasn't convicted of things that he was not guilty of," attorney Kimmel said.

The two convictions that were reversed were both class A misdemeanors.

The Court of Appeals opinion on the Love case was a split decision. One of the three judges dissented saying, "my colleagues and I are asked to make judgments based upon the reading of a script, a transcript. However we are often not in the best position to make decisions about which witnesses to believe or which piece of evidence is most important....we are not present at the trial or hearing."

A written statement from the office of Mayor Pete Buttigieg said the mayor takes all use of force cases seriously but that he could not comment on this one because there is civil litigation pending.

Kimmel said he could not comment on the civil suit.

Among the officers who were involved in the arrest were Officer Greg Howard, Officer Erik Schlegelmilch, Officer Jonathan Gray, and Officer Larry Sanchez.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

City, Comcast team up for Green Light

BY CHRISTINE FERRETTI
The Detroit News

Detroit — City officials on Thursday announced a partnership that's making the cost of technology for one of Detroit's newest crime-fighting tools more affordable to the city businesses that need it.

City officials have joined with Comcast Business to help expand the city's Project Green Light program with reduced up-front costs.

Green Light launched in neighborhood gas stations to help deter and solve crimes. Under the program, participating businesses have invested between \$4,000 to \$6,000 apiece to equip their stations with high-definition interior and exterior video cameras, enhanced lighting systems, a highly visible green light and signs. The partnership links the live video feed from each of the stores to the Detroit Police Department's Real Time Crime Center.

So far, 43 businesses have come online. But Mayor Mike Duggan said growth of the program has been hindered for some by the costs.

Comcast has now stepped up to offer a program that allows eligible businesses to join for \$1,000, with a cost of \$140 per month for digital storage and a lease of camera equipment.

The high-definition cameras can capture clear pictures of individuals, clothing, vehicles and license plates that will be relayed to area units, officials said.

Duggan stressed the need to



Christine Ferretti / The Detroit News

Mayor Mike Duggan said 50 additional businesses have expressed interest in taking part in the anti-crime initiative.

expand the technology, rattling off crime reports from recent days including a carjacking late Wednesday at a gas station on the east side, a Tuesday shooting in a pharmacy parking lot and two recent shootings in parking lots of two east side liquor stores.

"We know that many of these incidents can be prevented with the Green Light project. But the problem has been, we don't have nearly enough stations signed up," Duggan said.

"As far as I'm concerned, just about every operating business in the city should be willing to spend \$140 a month to keep their customers safe coming and going. This is the next generation of violence reduction."

Duggan on Thursday said 50 additional businesses have already expressed interest in tak-

ing part in the Comcast offering.

Tim Collins, senior vice president of Comcast in Michigan, said the company has a vested interest in supporting the city's resurgence and the safety of its residents.

"We have a vested interest in the city's success," said Collins, adding the company will install and support the service for its customers.

Police Chief James Craig said there's been a 50 percent reduction in violent crime at Green Light's participating stations, which include restaurants, liquor stores, grocery stores and pharmacies.

"I'm looking forward to the next evolution of this," Craig said. "This is about change. We're embracing change."

cferretti@detroitnews.com