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LAW ENFORCEMENT OFFICER TRAINING CASE OF THE MONTH

By Don Hays

Month of May – 2026 - ALTERNATIVE

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Richard J. Vinet v. David Chadek, 2026 WL 555604, Case No. 22 C 6482, February 27, 2026.

THE CASE: Should this Officer be held liable on charges of False Arrest and the Excessive Use of Force?

FACTS: On June 23, 2021, at 2:20 PM, 911 dispatch received an emergency call from an unknown male. When asked by dispatch what his emergency was, the caller stated, "I'm at the corner of 71st and Cicero. I've got a guy with a knife...holding a knife on me." The caller can be heard speaking to someone and telling them to "back the fuck up." The caller then states to dispatch that his assailant threw a rock "big as a boulder" at him. In a separate 911 call at 2:20PM, another unknown male reported that a man was on 71st and Cicero "chasing another guy with a knife

Officer B arrived at the scene, sighted Vinet, and confirmed with a bystander that Vinet was the individual identified in the 911 calls. Officer B immediately instructed Vinet to stop. Instead of stopping, Vinet fled Officer B on foot, abandoning his bicycle and running through tall grass toward a nearby Walmart parking lot. Officer B began pursuing on foot. At around this time, Officer Chadek arrived at the scene and made contact with the victim of the assault, who informed him that Vinet had taken off on foot, and that Officer B was chasing him. Officer Chadek also pursued Vinet on foot, following Officer B. Officer B then advised dispatch that Vinet was fleeing "into Walmart". Vinet continued to flee on foot. Officer B instructed him to stop and put his hands up seven times. Vinet did not comply. Vinet eventually came to a stop in the parking lot of a Walmart store. When Vinet eventually stopped fleeing, both Officers approached, with Officer B arriving first. Officer B had his handgun drawn, and Officer Chadek had his taser drawn. Venit was then told 11 separate times to get on the ground. He ignored all these instructions. A large knife was seen protruding from Vinet's front pocket. Vinet then pivoted on one foot, turning to face away from the officers. At that moment, Officer Chadek discharged his taser. Approximately three seconds elapsed from the time Officer Chadek came to a stop through the time Vinet pivoted and Officer Chadek deployed his taser. Plaintiff did not react to the taser, and Officer Chadek can be heard to report that the taser deployment was unsuccessful. Later, Officer stated that "[Officer Chadek] deployed one round of the taser; it was ineffective." Defendant testified that he deployed his taser only once.

After the taser was deployed, Vinet began to get down on his hands and knees, and both officers then continued to repeatedly instruct him to get onto his stomach. Vinet again did not comply. Officer Chadek then approached Vinet to detain him and search for the knife referenced by the 911 callers. Vinet continued to disregard the instruction to get on his stomach. Officer Chadek removed the knife from Vinet's pocket. Officer B then approached Vinet and physically placed him on the ground, and Vinet was secured with handcuffs. On camera, Officer B then provided a further description of the events leading to Plaintiff's detention, stating: "I said stop. He took off...I started taking off after him. He went into the bushes. Dropped his backpack, saying something about he was going to kill me...I got through, saw him running... stopped here, [Officer Chadek] was behind me. I had him at gunpoint. [Officer Chadek] deployed one round of taser; it was ineffective...[Plaintiff] went to his hands and knees. [Officer Chadek] took the knife...I put his hands behind his back, and [Officer Chadek] cuffed him.

Vinet thereafter filed this civil rights action claiming that Officer Chadek violated his constitutional rights during the course of his arrest. Specifically, Vinet complained that Officer Chadek falsely arrested him and used excessive force while making that arrest. Officer Chadek moved for summary judgment on both Vinet's false arrest and excessive force claims. He sought summary judgment on the false arrest claim on the ground that there was probable cause to arrest and detain Vinet. He sought summary judgment on Vinet's excessive force claim on the grounds that the force used to effectuate Vinet's arrest was objectively reasonable under the circumstances, and, even if the Court were to find otherwise, that he is entitled to qualified immunity because his actions did not violate a clearly established constitutional right.

THE LAW OF SUMMARY JUDGMENT: Summary judgment is appropriate when “there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.” “A genuine issue of material fact exists only if ‘there is sufficient evidence favoring the nonmoving party for a jury to return a verdict for that party.’ ” The Court must construe all facts in the light most favorable to the non-moving party and draw all legitimate inferences in favor of that party. “A court's role is not to evaluate the weight of the evidence, to judge the credibility of witnesses, or to determine the truth of the matter, but instead to determine whether there is a genuine issue of triable fact.” However, a bare contention by the non-moving party that an issue of fact exists does not create a factual dispute, and the non-moving party is “only entitled to the benefit of inferences supported by admissible evidence, not those supported by only speculation or conjecture,” Additionally, when the events in question were preserved on video, the court must view the facts “in the light depicted by the videotape,” provided that “[t]here are no allegations or indications that th[e] videotape was doctored or altered in any way, nor any contention that what it depicts differs from what actually happened.” There are no such allegations in this case, so the Court will view the facts in the light depicted by the videotaped (and audio-recorded) evidence.

ISSUE #1: False Arrest. Was Vinet falsely arrested?

THE LAW OF FALSE ARREST: The existence of probable cause is an absolute defense to a § 1983 claim for wrongful arrest. “Probable cause exists to arrest a suspect if at the time of arrest the facts and circumstances within the arresting officer's knowledge and of which he has reasonably trustworthy information would warrant a prudent person in believing that the suspect had committed or was committing an offense.” The determination of probable cause depends not on “the facts as an omniscient observer would perceive them, but instead as they would have appeared to a reasonable person in the position of the arresting officer.” “The complaint of a single witness or putative victim alone generally is sufficient to establish probable cause to arrest unless the complaint would lead a reasonable officer to be suspicious, in which case the officer has a further duty to investigate.”

FINDINGS: The district court noted that the undisputed facts here demonstrated that probable cause supported Vinet's arrest. Given that Officer Chadek arrived on the scene in response to the 911 dispatcher's broadcast and that the responding officers confirmed with an eyewitness that Vinet (who was fleeing) was the assailant, the Court found as a matter of law that Officer Chadek had probable cause to believe Vinet was the individual who had brandished a knife and thrown a rock at the victim and thus had committed one or more crimes in relation to the incident. Additionally, Officer Chadek was entitled to rely on Officer B's probable cause determination as it pertains to his own involvement in arresting and detaining Vinet.

ISSUE #2: Excessive Force. Was Officer Chadek entitled to immunity from liability concerning Vinet's complaints about the Officer's use excessive force when placing Vinet under arrest?

FINDINGS: The district court first noted that at the time that Officer Chadek deployed his taser, Vinet was not belligerent or physically lashing out. But nor was he secured, cooperative, or submitting to the officers. Rather, at the time Vinet was tased, he was armed with a knife and repeatedly defying the officers' multiple instructions to get on the ground. Vinet then additionally turned to face away from the officers. And these interactions followed directly from Vinet's erratic assault of a civilian and his active flight from the officers. According to the District Court these facts all tend to demonstrate that an officer in Officer Chadek's position would have reasonably believed that Plaintiff was a continued flight risk and posed a danger to the officers and other civilians in the vicinity. Further, the Court noted that Vinet failed to cite any case law that supported his argument that under these circumstances, it was clearly established that the conduct of Officer Chadek in tasing him constituted a clear violation of his Fourth Amendment rights. Therefore, the Court held that Officer Chadek was entitled to qualified immunity concerning Vinet's claim of the use of excessive force.

CONSLUSION: Finding that Officer Chadek had probable cause to arrest Vinet and that the Officer was entitled to immunity from liability even if the force used against Vinet was excessive, the District Court granted Officer Chadek's motion for summary judgment and dismissed Vinet's case with prejudice.

QUIZ QUESTIONS FOR THE MONTH OF MAY – 2026 - ALTERNATIVE

Richard J. Vinet v. David Chadek, 2026 WL 555604, Case No. 22 C 6482, February 27, 2026.

1. Does the existence of probable cause constitute an absolute defense to a claim for wrongful arrest?
 - a. Yes.
 - b. No.

2. In this case, the District Court concluded that the conduct of Vinet was sufficient to constitute probable cause to believe that he had committed actionable criminal offenses.
 - a. True.
 - b. False.

3. A public official is entitled to qualified immunity from liability in a Federal Civil Rights action unless it can be shown that he violated a clearly established right of the person claiming injury.
 - a. True.
 - b. False.

4. In this case, did Vinet present sufficient case law to support his claim that the Officer used excessive force while arresting him and thus, his clearly established right to be free of such a violation?
 - a. Yes.
 - b. No.

QUIZ ANSWERS FOR THE MONTH OF MAY – 2026 - ALTERNATIVE

Richard J. Vinet v. David Chadek, 2026 WL 555604, Case No. 22 C 6482, February 27, 2026.

1. Does the existence of probable cause constitute an absolute defense to a claim for wrongful arrest?
a. Yes. As this Court held: “The existence of probable cause is an absolute defense to a § 1983 claim for wrongful arrest.” See Dollard v. Whisenand, 946 F.3d 342, 353 (7th Cir. 2019)
2. In this case, the District Court concluded that the conduct of Vinet was sufficient to constitute probable cause to believe that he had committed actionable criminal offenses.
a. True. The Court declared that the Officer had probable cause to believe that the arrestee was the individual who had brandished a knife and had thrown a rock at the victim, and thus had committed one or more crimes in relation to the incident, precluding a false-arrest claim against the officer.
3. A public official is entitled to qualified immunity from liability in a Federal Civil Rights action unless it can be shown that he violated a clearly established right of the person claiming injury.
a. True. The Court held: “A public official is entitled to qualified immunity from suit unless he violated a clearly established right.” Dockery v. Blackburn, 911 F.3d 458, 466 (7th Cir. 2018) In the context of Fourth Amendment excessive force claims, “the qualified-immunity doctrine gives enhanced deference to officers’ on-scene judgments about the level of necessary force.” Dockery, 911 F.3d at 466 (quoting Abbott, 705 F.3d at 725).
4. In this case, did Vinet present sufficient case law to support his claim that the Officer used excessive force while arresting him and thus, his clearly established right to be free of such a violation?
b. No. The District Court declared that Vinet failed to show that the Officer’s violation of his civil rights was clearly established. Therefore, the Court declared that the Officer was entitled to qualified immunity from liability.