# *ILLINOIS PROSECUTOR SERVICES, LLC*

19650 S. Standard City Road, Carlinville, IL 62626
Phone: (217) 854-8041
Website: www.ipsllconline.com
E-mail: don@ipsllconline.com





# *LAW ENFORCEMENT OFFICER TRAINING CASE OF THE MONTH*

**By Don Hays**

Month of December – 2026 - ALTERNATIVE

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**LAW ENFORCEMENT OFFICER TRAINING CASE OF THE MONTH**

**Month of December - 2026 - ALTERNATIVE**

**Estate of Ceaser Stinson v. Joel Streicher, No. 22-3042, 7th Circuit Court of Appeals, October 14, 2026.**

**The Case:** A Deputy was "driving while distracted" and caused an accident that caused the death of Stinson. Could the Estate of the deceased driver successfully sue the Deputy in Federal Court for a Civil Rights violation?

**FACTS:** Streicher, a Deputy Sheriff, was involved in an automobile accident. On the morning of January 25, 2020, Streicher started his shift at about 10 a.m., driving an unmarked Chevy Tahoe, his designated sheriff's vehicle. About 45 minutes after starting his shift, he stopped at the Sheriff's Department for a bathroom break. While there he opened a dating application known as "Zoosk" on his personal cellphone and exchanged a series of sexually explicit messages with a woman he had met on the app. Her last message to him was at 10:45 a.m., and he responded at 10:52 a.m. At about 11 a.m., Streicher returned to his vehicle and headed for the interstate to begin his freeway patrol. Streicher approached a controlled intersection as the light turned yellow and then red. His speed was 29 to 30 miles per hour, within the speed limit of 30 miles per hour. But he was looking down at his phone or dashboard computer and did not see the light change, so he made no effort to slow down or stop. Instead, he ran the red light, driving straight into the intersection from the right-turn-only lane. At that moment Ceaser Stinson was lawfully driving through the intersection. At 11:11:02 a.m. Streicher collided with Stinson's car. Stinson died at the scene.

[According to the Court of Appeals, Streicher was not always a model officer. The last 15 years of his tenure at the County Sheriff's Office featured reprimands for violations of department policy and state law. In 2007 he was reprimanded for violating department policy for his role in a residential search without lawful justification. In 2018 he was caught soliciting an undercover agent for sex over the internet; he pleaded guilty to a misdemeanor and was disciplined by the department. Also in 2018: Streicher was involved in another on-duty auto accident. In July of that year, he drove straight through a controlled intersection from a left-turn-only lane, colliding with the vehicle in the lane next to him that had the right-of-way. Streicher's career as a deputy sheriff came to an end after the January 2020 crash that caused Stinson's death. He resigned his position and pleaded guilty to a vehicular manslaughter charge.]

The Estate of Stinson then sued Streicher and the County he worked in State court for damages. The Estate's case was transferred to Federal Court where the Estate argued that Streicher's conduct violated Stinson's Fourteenth Amendment Due Process rights. Streicher and the County moved to dismiss the Estate's claims and argued that Streicher's actions were insufficient to support a constitution due process claim and, additionally, Streicher was entitled to qualified immunity from any liability arising from the accident. Specifically, the defendants argued that the evidence does not support an inference that Streicher acted intentionally or with deliberate indifference to imminent harm. With respect to qualified immunity, Streicher argued that it was not clearly established at the time of the accident that distracted driving constitutes a due-process violation. The district judge denied the motion, holding that a jury should decide whether Streicher's degree of inattention amounted to a violation of Stinson's right to due process. The judge reasoned that the question of Streicher's intent was best left to jurors who could assess his credibility and any competing inferences. But the judge also concluded that the reason for Streicher's inattention was immaterial, so a jury would not need to resolve that question. In the judge's view, it did not matter whether the officer was looking at his law-enforcement computer or his cellphone at the time of the accident. Nor was Streicher's past misconduct relevant. The judge determined that the officer's misdemeanor conviction, disciplinary history, and prior on-duty collision were both immaterial and in-admissible. Finally, the judge concluded that a ruling on the question of qualified immunity should await the jury's finding on the constitutional question. From the denial of his motion to dismiss based upon qualified immunity, Streicher brought this appeal.

**ARGUMENT: Streicher argued that the District Court erred in failing to find in his favor on his motion to dismiss based upon qualified immunity.**

**THE LAW:** The substantive component of the Fourteenth Amendment right to due process protects against arbitrary or oppressive abuses of government power, but "only the most egregious official conduct can be said to be arbitrary in the constitutional sense." The misconduct must "shock the conscience." Only intentionally inflicted harm, or harm caused by a public official's deliberate indifference to impending harm, rises to the level of a potential due-process violation. Qualified immunity shields public officials from suits for damages under § 1983; the "shield is pierced" only if "(1) officers violate the Constitution or a federal statutory right and (2) their conduct is clearly established as unlawful." Accordingly, in this case, the Court of Appeals concluded that Streicher is entitled to judgment based upon qualified immunity unless the Estate can show that (1) the evidence is sufficient to support a finding that he violated Stinson's right to substantive due process, and (2) it was clearly established at the time of the accident that his conduct was unconstitutional.

**ISSUE #1:** Was the evidence produced by the Estate in this case sufficient to prove that Streicher's conduct violated the due process rights of Stinson? **CONCLUSION: (No). The Court concluded that under the circumstances of this case, it was not. REASONING:** The Court of Appeals began by noting that an actionable claim for a violation of substantive due process requires evidence sufficient to support a reasonable inference that the defendant officer acted with a heightened degree of intent—specifically, deliberate indifference to a known and imminent harm ( or criminal recklessness, which is the same thing). In this case, the Court concluded that the agreed facts were that Streicher took his eyes off the road and looked down at his phone or dashboard computer (or both) for 15.5 seconds, driving at the speed limit through a red light from the right-turn-only lane. The Court held that those tragic 15.5 seconds of distracted driving amounted to negligence—perhaps gross negligence. But those facts, construed in the Estate's favor, did not support a reasonable inference that Streicher knew of impending harm and consciously refused to prevent it. That is, there is no evidence that Streicher acted with deliberate indifference to imminent harm.

**ISSUE #2:** Even if the Estate had produced sufficient evidence to support the conclusion that a due process violation had occurred, was Streicher still entitled to qualified immunity from liability under federal law? **CONCLUSION: (Yes). REASONING:** The Court of Appeals reasoned that public officials have qualified immunity from damages suits arising from their on-duty conduct unless they violate clearly established federal law. When immunity is raised at summary judgment, the plaintiff must show that (1) the evidence supports a finding that the officer committed the claimed constitutional violation, and (2) it was clearly established when the officer acted that his conduct was unconstitutional. These are legal questions for the court. In this case, the Court concluded that the Estate did not make these showings. According to the Court, the undisputed in this case evidence, construed in the Estate's favor, did not support a reasonable inference that Streicher deliberately disregarded an impending harm. Further, even if it skipped the merits question and assumed for the sake of argument that the evidence could support a triable due-process claim, the Estate produced no case that clearly established that an officer's distracted driving rises to the level of a due-process violation. Accordingly, the Court concluded that Streicher's immunity was found to be intact.

**RESULT:** The Court of Appeals reversed the District Court's order denying Streicher judgment based upon qualified immunity and remanded this case back to the District Court with instructions to enter judgment in Streicher's favor.

**[EDITOR'S NOTE:** The Court in this case determined that Streicher, who caused the accident, could not successfully be sued in Federal Court for the alleged violation of Stinson's civil rights (specifically his Fourteenth Amendments Due Process Rights) based upon a finding that Streicher's conduct of driving while distracted was insufficient to violate Stinson's Fourteenth Amendment due process rights. However, if this accident had occurred in Illinois, and if the Estate had brought a wrongful death action in an Illinois state court, would Streicher still be found immune from liability? The Illinois Governmental Tort Immunity Act provides Officers with two basic types of immunity from civil liability; absolute immunity and qualified immunity. An Officer is absolutely immune from liability if the Officer causes damage while engaged in providing a police service. Additionally, Officers are entitled to qualified immunity from liability if they cause damage with enforcing a law or executing a statute. This immunity from liability is qualified rather than absolute because no such immunity exists if the Officer engaged in willful and wanton misconduct. In this case, Streicher was simply on patrol when the accident occurred. He was neither engaged in providing a police service nor was he enforcing a law or executing a statute. Illinois law provides that Officers who cause civil damage while engaged in standard police activities have the same immunity from liability as ordinary citizens; that is, they would have no statutory immunity. Therefore, if this accident had occurred in Illinois and if Stinson's Estate had sued Streicher in state court for the commission of Illinois torts, it would seem that Streicher may not have been able to avoid liability for his conduct as he did in this case.]

**QUIZ QUESTIONS FOR THE MONTH OF DECEMBER – 2026 - ALTERNATIVE**

**Estate of Ceaser Stinson v. Joel Streicher, No. 22-3042, 7th Circuit Court of Appeals, October 14, 2026.**

1. Can Officers who are involved in automobile accidents while on duty be held liable in Federal Court for a Federal Civil Rights action?

   a. Yes.

   b. No.

2. Before an Officer can be held liable for a civil rights violation as the result of an automobile accident, the plaintiff suing the officer must prove that the officer intended to cause injury or was deliberately indifferent to impending harm—i.e., that he had actual knowledge of imminent harm and consciously refused to prevent it..

   a. True.

   b. False.

3. The Estate of Stinson argued that the conduct of the Deputy was sufficient to constitute a violation of Stinson's due process rights in violation of the Fourteenth Amendment Did the Court of Appeals agree with this argument?

   a. Yes.

   b. No.

4. Streicher argued that under the circumstances of this case, he was entitled to immunity from liability for the damages caused by the accident. The Court of Appeals agree with this argument.

   a. True.

   b. False.

**QUIZ ANSWERS AND DISCUSSION FOR THE MONTH OF DECEMBER – 2026 - ALTERNATIVE**

**Estate of Ceaser Stinson v. Joel Streicher, No. 22-3042, 7th Circuit Court of Appeals, October 14, 2026.**

1. Can Officers who are involved in automobile accidents while on duty be held liable in Federal Court for a Federal Civil Rights action?

   ***a. Yes.*** If the conduct of the Officer "shocks the conscious," Officers who are involved in accidents can be sued in Federal Court for a civil rights violation.

2. Before an Officer can be held liable for a civil rights violation as the result of an automobile accident, the plaintiff suing the officer must prove that the officer intended to cause injury or was deliberately indifferent to impending harm—i.e., that he had actual knowledge of imminent harm and consciously refused to prevent it..

   ***a. True.*** As the Court in this case held, "It's well established that an auto accident caused by a law-enforcement officer is not actionable as a due-process violation unless the officer's conduct was so egregious that it shocks the conscious. County of Sacramento v. Lewis, 523 U.S. 833, 846 (1998). This standard, in turn, requires the plaintiff to show that the officer intended to cause injury or was deliberately indifferent to impending harm—i.e., that he had actual knowledge of imminent harm and consciously refused to prevent it. Id. at 848–54; Lisby v. Henderson, 74 F.4th 470, 472–73 (7th Cir. 2023); Flores v. City of South Bend, 997 F.3d 725, 729 (7th Cir. 2021); Hill v. Shobe, 93 F.3d 418, 421 (7th Cir. 1996).

3. The Estate of Stinson argued that the conduct of the Deputy was sufficient to constitute a violation of Stinson's due process rights in violation of the Fourteenth Amendment Did the Court of Appeals agree with this argument?

   ***b. No.*** In response to this argument, the Court held, "Public officials have qualified immunity from damages suits arising from their on-duty conduct unless they violate clearly established federal law. When immunity is raised at summary judgment, the plaintiff must show that (1) the evidence supports a finding that the officer committed the claimed constitutional violation, and (2) it was clearly established when the officer acted that his conduct was unconstitutional. These are legal questions for the court. The estate did not make these showings. The undisputed evidence, construed in the estate's favor, does not support a reasonable inference that Streicher deliberately disregarded an impending harm."

4. Streicher argued that under the circumstances of this case, he was entitled to immunity from liability for the damages caused by the accident. The Court of Appeals agree with this argument.

   ***a. True.*** According to the Court of Appeals, the Estate produced no case that clearly established that an officer's distracted driving rises to the level of a due-process violation. Therefore, Streicher was entitled to qualified immunity from liability for the death his distracted driving caused.