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LAW ENFORCEMENT OFFICER TRAINING CASE OF THE MONTH

By Don Hays

Month of April – 2025 - ALTERNATIVE

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Isaiah Taylor v. Justin Schwarzhuber, et al., --- F.4th ----, 2025 WL 829598, March 17, 2025.

THE CASE: Four days before Christmas the police watched as sixteen-year-old Isaiah Taylor ran through his neighborhood. Taylor, who was Black, was seen carrying a brown paper bag as he ran. Two police Officers witnessed Taylor's run and decide to intervene. Could the Officers be held liable for the consequences of their actions?

FACTS: In 2015, four nights before Christmas, Isaiah Taylor and his mother had returned home from an event where they were handing out holiday meals to needy families. Once home, Taylor told his mother that he wanted to deliver a frozen turkey to a family he knew in the neighborhood too. Taylor's mother agreed, so Taylor put the turkey in a brown paper bag and left home at approximately 7:00 p.m. It was cold, and Taylor hurried down the street to the neighbor's house. At the same time, two police officers were in a police car near Taylor's house. The Police Department had assigned the officers to patrol the area, which had seen a spate of juvenile armed robberies. The Officers were unaware of any robbery that had occurred that evening.

According to Taylor, as he ran down the street, he saw a police car sitting idle with its lights off. He kept running, maintaining his speed and direction. The next thing he knew, the police had activated their siren and were yelling at him to stop. He stopped at once. One of the officers approached him and "immediately started patting [him] down without telling [him] why or asking if [the officer] could." According to the Officers, they were in their police vehicle when they saw Taylor "booking it ... running faster than what you'd normally run across the street." Officer One said it "did not look like [Taylor] was exercising." When he saw Taylor carrying something, he thought to himself that it looked like "this guy had stole [sic] a purse or something like that and he's running with it." According to Office One, that as Taylor ran down the street, he made eye contact with the Officers and "increased his speed." Taylor then ran diagonally across the street, cutting off the patrol car, and continued running in the same direction on the opposite side of the sidewalk. Officer One yelled at Taylor to stop, and Taylor stopped. Officer One got out of the police car, introduced himself, and asked Taylor for permission to "pat [him] down for some weapons." Taylor agreed and "put his arms out like an airplane" for the Officer to frisk him. Officer Two basically agreed with Office One's account of the incident.

At some point during the stop, Officer Two searched Taylor's bag and saw that it contained a turkey. Taylor stated that he told both Officers during the search that his bag contained a turkey. After Office One patted Taylor down and Office Two searched his bag, they asked him to sit in the patrol car. Taylor "did not feel that [he] had a choice," so he sat in the car. At this point, the Officers activated their body cameras. [For this reason, the Court had video evidence of what happened next.] Office Two called into dispatch, reporting that they had stopped a "Black male for suspicious activity." Meanwhile, Officer asked Taylor for his phone number. Then he told Taylor to put his legs inside the police car, and closed the door on Taylor. After Office One got in the front passenger seat of the squad car, the officers ran Taylor's name through their system to see if he had any outstanding warrants. According to Officer Two, they also checked to see if he "wasn't a runaway or missing." Officer One, on the other hand, explained that they were waiting to see if any "new fresh robberies [had] come over." By this point, Taylor was tearing up in the back of the car and telling the officers that he was taking a turkey to his friend's house. No warrants came through, and the officers let Taylor go. In all, the stop lasted approximately five minutes.

Thereafter, Taylor filed a Civil Rights Action against the Officers and their Department. Taylor's complaint presented three claims for relief: one for racial profiling in violation of the Equal Protection Clause of the Fourteenth Amendment, one for unreasonable seizure in violation of the Fourth Amendment, and one for unreasonable search in violation of the Fourth Amendment. The defendants sought summary judgment. The District Court granted the defendant's motion in part and denied it in part. Specifically, the Court concluded that Taylor failed to present sufficient evidence to support his Equal Protection claim. Therefore, this claim was dismissed. Further, the Court concluded that Taylor failed to show that when the Officers detained him, they violated clearly established law. Therefore, the Officers were entitled to qualified immunity from liability concerning Taylor's unreasonable seizure claim. However, the District Court concluded that Taylor had provided sufficient caselaw to demonstrate that the Offices violated clearly established law by continuing to detain him after any reasonable suspicion had dissipated. On that one issue the court denied summary judgment and the parties proceeded to trial. After a trial, a jury found in favor of the Officers and Taylor's case was dismissed. This appeal followed.

ISSUE #1: Did the District Court properly grant the defendants summary judgment on Taylor's racial profiling allegation?

THE LAW: To prove racial profiling in violation of the Fourteenth Amendment's Equal Protection Clause, plaintiffs must show that “the defendants' actions had a discriminatory effect and were motivated by a discriminatory purpose.” To prove discriminatory purpose, plaintiffs must demonstrate that “ ‘the decisionmaker ... selected or reaffirmed a particular course of action at least in part because of ... its adverse effects upon an identifiable group.’ ” To prove discriminatory effect, plaintiffs must show that “they are members of a protected class, that they are otherwise similarly situated to members of the unprotected class, and that the plaintiffs were treated differently from members of the unprotected class.” Plaintiffs can do so by identifying individuals or by presenting statistics. See *id.* Importantly, plaintiffs must show both discriminatory purpose and discriminatory effect.

FINDINGS: The Court of Appeals concluded that Taylor failed to present the district court with any evidence of the second category, discriminatory effect. **WHY:** He did not identify any similarly situated individuals treated differently, present any statistics that suggest discriminatory effect, or provide any other type of proof. He therefore did not satisfy the elements of his Fourteenth Amendment claim, and the court rightly granted the Officers qualified immunity from the claim because Taylor did not show a constitutional violation to begin with.

ISSUE #2: Did the District Court properly grant the defendants summary judgment on Taylor’s illegal detention allegation?

THE LAW: Officers may not lawfully initiate an investigatory stop [Often called a *Terry* stop] unless they have “reasonable suspicion that a crime occurred.” That reasonable suspicion must be based on “specific and articulable facts” that suggest criminality, not on “a mere hunch,” The government bears the burden of demonstrating “some minimal level of objective justification for making a stop,” “by a preponderance of the evidence.” Courts evaluate such justifications “considering the totality of the circumstances,” and using “commonsense judgments and inferences about human behavior.”

FINDINGS: The Court of Appeals declared that after viewing the facts in the light most favorable to Taylor, clearly established law showed the Officers lacked reasonable suspicion to stop Taylor. **WHY:** Taylor was doing what any teenager might be doing on a cold December evening—running down the street with a bag. That is not enough to give police officers reasonable suspicion that a crime occurred. The officers did not merit qualified immunity from Taylor's unconstitutional stop claim at the summary judgment stage. Therefore, the District Court erred in granting the Officer’s motion for summary judgment on Taylor’s illegal detention claim. A jury must have an opportunity to decide if an illegal detention occurred.

ISSUE #3: Did the District Court properly grant the defendants summary judgment on Taylor’s illegal frisk allegation?

THE LAW: Officers may only search individuals for weapons when they have a reasonable, “articulable suspicion that the suspect is ‘armed and dangerous.’ ”

FINDINGS: Looking at the facts in the light most favorable to Taylor, the Court of Appeals concluded that the Officers lacked that articulable suspicion. **WHY:** Taylor stated that he ran down the street while holding a bag, and he stopped when the officers asked him to stop. The Court concluded that nothing about those facts suggests Taylor was armed and dangerous. All they suggest is that Taylor was present in an area where the Officers had been assigned to patrol. A jury could find that this was not enough to justify a frisk of Taylor.

ISSUE #4: Did the District Court properly concluded that a jury must decide whether the Officers were liable for illegally continuing to detain Taylor?

FINDINGS: The Court of Appeals vacated the jury verdict and remanded the continued detention claim to the district court for further consideration along with the stop and frisk claims. **WHY:** The Court held that if the jury finds that Officers had no reasonable suspicion to stop Taylor in the first place, then the officers clearly subjected him to unlawful continued detention thereafter. Even one second of continued detention after an unlawful stop is too long. On the other hand, if the jury finds that the officers did have reasonable suspicion to stop Taylor, the jury must then make an independent decision about whether the officers had a continuing basis for detaining him. For under the Fourth Amendment, even if a police officer has reasonable suspicion to initiate a *Terry* stop, “a police stop exceeding the time needed to handle the matter for which the stop was made violates the Constitution's shield against unreasonable seizures.” In short, the fate of Taylor’s continued detention claim depends on how a jury decides the constitutionality of the initial stop.

CONCLUSION: Consequently, the Court of Appeals remanded this case for a new trial in which the jury will hear all of Taylor's viable Fourth Amendment claims: the unlawful stop, the unlawful search, and the unlawful continued detention.

QUIZ QUESTIONS FOR THE MONTH OF APRIL – 2025 - ALTERNATIVE

Isaiah Taylor v. Justin Schwarzhuber, et al., --- F.4th ----, 2025 WL 829598, March 17, 2025.

1. Can an Officer be held liable for violating the constitutional rights of a suspect by using racial profiling?
 - a. Yes.
 - b. No.
2. The Court of Appeals decided that a jury should decide whether the Officers had sufficient reasonable suspicion to justify the detention of Taylor in this case.
 - a. True.
 - b. False.
3. In this case, Taylor complained that the District Court improperly rejected his argument that his Equal Protection rights were violated when the Officers used racial profiling against him. Did the Court of Appeals agree with this argument?
 - a. Yes.
 - b. No.
4. The District Court, in this case, decided that a jury should decide if Taylor's Fourth Amendment rights were violated with the Officers unreasonably extended that length of his detention. The Court of Appeals disagreed with this argument.
 - a. True.
 - b. False.

QUIZ QUESTIONS FOR THE MONTH OF APRIL – 2025 - ALTERNATIVE

Isaiah Taylor v. Justin Schwarzhuber, et al., --- F.4th ----, 2025 WL 829598, March 17, 2025.

1. Can an Officer be held liable for violating the constitutional rights of a suspect by using racial profiling?
a. Yes. “[T]he Constitution prohibits selective enforcement of the law based on considerations such as race.... [T]he constitutional basis for objecting to intentionally discriminatory application of laws is the Equal Protection Clause.”). See Whren v. United States, 517 U.S. 806, (1996)
2. The Court of Appeals decided that a jury should decide whether the Officers had sufficient reasonable suspicion to justify the detention of Taylor in this case.
a. True. The Court concluded that sufficient evidence was introduced to justify a jury determination of whether the Officers violated the Fourth Amendment rights of Taylor by detaining him without a reasonable suspicion to believe that he had violated, was violating, or was about to violate a criminal law and the violation of this right was clearly established at the time Taylor was detained.
3. In this case, Taylor complained that the District Court improperly rejected his argument that his Equal Protection rights were violated when the Officers used racial profiling against him. Did the Court of Appeals agree with this argument?
b. No. The Court determined that Taylor failed to offer sufficient evidence to support his Equal Protection claim.
4. The District Court, in this case, decided that a jury should decide if Taylor’s Fourth Amendment rights were violated with the Officers unreasonably extended that length of his detention. The Court of Appeals disagreed with this argument.
b. False. The Court of Appeals agreed that the facts of this case required that a jury must decide whether Taylor’s Fourth Amendment rights were violated when the Officers continued to detain him after they discovered what Taylor was carrying in his paper stack.