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

**By Don Hays**

Month of July – 2025. - ALTERNATE CASE

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

## **Month of July – 2025. - ALTERNATE CASE**

### **Nathaniel Pryor v. Michael Corrigan, et al., 124 F.4th 475, December 23, 2024.**

**THE CASE:** During a traffic stop Pryor exited the stopped vehicle and walked away. In response, Officers tackled Pryor to the ground and handcuff him. Could the Officers be held liable for unlawful arrest and excessive force?

**FACTS:** The police received a tip from a confidential informant that someone would be “cooking crack cocaine” at a local home,” and “would be in a conversion van.” Five police officers joined a stakeout of that location. Officer Corrigan and another officer cruised the neighborhood. Later that evening, a conversion van drove into the neighborhood. After witnessing the Van commit a traffic violation, the Officers decided to pull it over. they followed the Van and activated its emergency lights. The Van pulled into a driveway and stopped. As the Van parked, the rear seat passenger fled the Van. An Officer gave chase. While this was happening, the front seat passenger (Pryor) exited the Van, closed the passenger side door and hurriedly walked down the driveway. As Pryor approached the street, Officer Corrigan pulled up in a squad car. Pryor slowed to a stop where the driveway met the street, directly in front of the squad car. He faced the squad car and raised both hands, which were empty, in the air. Pryor stood still for a few seconds, looking at the officers. Officer Corrigan then ran toward Pryor and twice yelled for Pryor to “Get on the ground!”.

Officer Corrigan approached Pryor, who was a much larger man, from the front. Officer Corrigan later testified that because Pryor had not been searched and was larger than him, he feared Pryor was going to gain control over the situation and harm him. Officer Corrigan ran behind Pryor and put both arms around his midsection. He then used his right leg to sweep Pryor's left leg, taking him to the ground, and then tackled him. Pryor claimed he was not given time to get on the ground, he did not resist the Officer, and the Officer did not tell him he was under arrest or why he was being arrested. Pryor landed on his side in the snow-spotted pavement. He was face down with Officer Corrigan straddling him. Pryor then asked, “what's going on?” Officer Corrigan yelled, “don't fight, stop fighting!” Pryor responded, “I'm not fighting.” Officer Corrigan ordered Pryor to put his hands behind his back. Pryor asked, “Sir, what is the problem?” The video shows that Pryor may not have put his hands behind his back right away. Pryor repeated, “what is the problem?” Officer Corrigan then raised his right arm and hit Pryor twice. Pryor repeatedly asked, “Sir, what is the problem?” Officer Corrigan told Pryor “don't move.” Meanwhile, Officer Corrigan reached for his handcuffs, grabbed Pryor's arms, and placed him in the restraints. This took about 30 seconds. Officer Corrigan searched Pryor while he laid on the pavement. Pryor wore black jeans over a pair of sweatpants. Under the sweatpants were basketball shorts and then underwear. Officer Corrigan later helped Pryor to his feet and searched him a second time. Eventually, the police put Pryor into a transport vehicle and took him to the police station. Prior to being transported, Pryor alleged that a second Officer searched him a third time while he sat in the back seat of the transport vehicle.

Pryor filed suit against the Officers and the City of Aurora. He brought six claims: three under federal law, 42 U.S.C. § 1983—false arrest, excessive force, and illegal search; one under both federal and state law—malicious prosecution; and two under state law alone—battery and indemnification. Both Pryor and the defendants cross-moved for summary judgment. The district court denied Pryor's motion in its entirety and granted in part and denied in part defendants' motion. The court dismissed the false arrest, and malicious prosecution claims in their entirety; dismissed part of the excessive force, illegal search, and battery claims; and dismissed all defendants except Officers Corrigan and one other Officer. Three claims survived for trial: (1) the excessive force claims under § 1983 against Officer Corrigan for the two punches; (2) the illegal search claims under § 1983 against the second Officer for the third search; and (3) the state law battery claims against both Officers, and the City of Aurora. Following a jury trial, the jury found in favor of the defendant Officers.

**ARGUMENT:** On appeal, Pryor claimed the district court erred in granting the Officers summary judgment on his three § 1983 claims—false arrest, excessive force, and the illegal searches.

#### **ISSUE #1: False Arrest.**

**Sub-Issue A: Obstruction of Justice.** Pryor argued that Officer Corrigan did not have probable cause to arrest him for obstruction of justice. The Court of Appeals ruled that considering the totality of the evidence in this case, a reasonable officer in Officer Corrigan's position could have concluded that Pryor was leaving a lawful traffic stop. When a passenger

does so, an officer has probable cause to arrest for resisting or obstructing a police officer. Officer Corrigan thus had probable cause to arrest and charge Pryor with obstruction of justice. Therefore, the district court did not err in granting Officer Corrigan summary judgment on Pryor's false arrest claim as to his obstruction of justice charge.

**Sub-Issue B: Resisting Arrest.** The Court of Appeals concluded that to evaluate whether Officer Corrigan appropriately arrested Pryor for this crime, it must decide (1) whether probable cause for an underlying offense existed to arrest Pryor, (2) when Pryor was under arrest, and (3) whether Pryor resisted arrest. First, the Court concluded that a reasonable officer in Officer Corrigan's position could have concluded that Pryor was leaving a lawful traffic stop. Officer Corrigan consequently had probable cause to arrest and to charge Pryor. Second, an arrest occurs when “a reasonable person in the suspect's position would have understood the situation to constitute a restraint on freedom of movement” and submits to the known police officer. Here, the emergency lights were activated on Officer Corrigan's police vehicle, and he ran toward Pryor ordering him to “get on the ground.” Pryor stopped and raised his hands, then lowered them as Officer Corrigan approached. According to the Court, Pryor's actions constituted submission because no reasonable person would have felt “free to decline the officer's request or otherwise terminate the encounter.” So, at this point Pryor was under arrest. Third, because Pryor was under arrest, any subsequent resistance violated Illinois law. Resistance under Illinois law was an action that “impedes, hinders, interrupts, prevents, or delays the performance of the officer's duties” and is defined as “withstanding the force or effect of or the exertion of oneself to counteract or defeat.” Here, Pryor refused Officer Corrigan's orders to “get on the ground.” Instead, Pryor began to lower his arms as Officer Corrigan ran toward him. This prevented Officer Corrigan from gaining control of Pryor and placing him in handcuffs. Once on the ground, Pryor continued to resist Officer Corrigan's attempt to place his hands behind his back to restrain him. A reasonable officer in Officer Corrigan's place could have believed that Pryor resisted. Therefore, Officer Corrigan could have appropriately arrested Pryor for resisting arrest and the district court did not err in granting Officer Corrigan summary judgment on Pryor's false arrest claim on this charge.

**ISSUE #2: Excessive Force.** Pryor argued the district court erred in granting Officer Corrigan qualified immunity against Pryor's claim of excessive force during the leg sweep and tackle. Officer Corrigan argued that he was entitled to qualified immunity from liability for the force he used against Pryor. According to the Court, qualified immunity rests on two questions: “first, whether the facts presented, taken in the light most favorable to the plaintiff, describe a violation of a constitutional right; and second, whether the federal right at issue was clearly established at the time of the alleged violation.” If the plaintiff fails to prove either prong, “the defendant official is protected by qualified immunity.”

In this case, the Court concluded that Pryor failed to show that it was clearly established when he was tackled that such force was excessive under the Fourth Amendment. So, the District Court did not err in finding Officer Corrigan's leg sweep and tackle protected by qualified immunity.

**ISSUE #3: Illegal Searches.** Pryor argued that the police did not have probable cause or reasonable suspicion to believe he possessed drugs or a gun. Therefore, to Pryor, the Officers had no justifiable reason to search him, and the district court erred in granting defendants summary judgment on the first two searches.

In response, the Court noted that it had previously “recognized that, given the dangers of drug trafficking, guns and drugs often go hand in hand.” Officer Corrigan assisted in a lawful traffic stop of a van related to suspected drug activity. He saw Pryor get out of the van and move quickly down the driveway toward the street. For these reasons, the Court concluded that Officer Corrigan could have reasonably believed that Pryor was fleeing and had drugs or a weapon on his person. The Court also noted that it is a “bright-line rule that police are entitled to search the persons and possessions of everyone arrested on probable cause, with or without any reason to suspect that the person is armed or carrying contraband.” Officer Corrigan thus could constitutionally search Pryor incident to his arrest. Such a search can be “ ‘a relatively extensive exploration of the person.’ ” But it becomes unlawful when the search is conducted in a manner that is “ ‘extreme or patently abusive.’ ” According to the Court of Appeals, the district court correctly found that Officer Corrigan's two searches of Pryor were not “extreme or patently abusive.” First, there was no support in the record that Officer Corrigan searched Pryor for sexual gratification or to humiliate him. Second, there was no evidence that Officer Corrigan exposed Pryor's private parts to the public. At most, as Pryor argued, the searches exposed his boxers. But this contention was insufficient to create a genuine issue of fact about whether the search exposed his private parts. Third, Pryor alleged that during the first search Officer Corrigan “searched him thoroughly, going up his boxers, [and] into his private area” and during the second search the Officer “put his hand down inside the front of Plaintiff's boxers and searched, touching his genitals.” But those allegations, even if true, did not amount to a strip or body cavity search. Thus, the Court concluded that there was no factual support to establish that the Officer's two searches incident to arrest were unlawful.

**CONCLUSION:** The Court of Appeals affirmed the District Court's judgment granting the Officers' motions for Summary Judgment concerning Pryor's allegations of unlawful arrest and excessive use of force.

**QUIZ QUESTIONS FOR THE MONTH OF JULY – 2025 - ALTERNATIVE**

**Nathaniel Pryor v. Michael Corrigan, et al., 124 F.4th 475, December 23, 2024.**

1. In this case, Pryor accused the Officers of False Arrest. In these types of cases, the existence of probable cause is an absolute defense to a claim of false arrest.
  - a. True.
  - b. False.
  
2. Pryor exited the car in which he was a passenger and walked away after it was pulled over by the Officers. Were the Officers justified in arresting Pryor based upon his conduct.
  - a. Yes.
  - b. No.
  
3. Pryor complained that Officer Corrigan used excessive force in placing him under arrest. The Courts rejected this argument and concluded that Officer Corrigan did not use excessive force against Pryor.
  - a. True.
  - b. False.
  
4. Officer Corrigan argued that he was justified in twice searching the person of Pryor. Did the Courts agree with this argument?
  - a. Yes.
  - b. No.

## **QUIZ ANSWERS AND DISCUSSION FOR THE MONTH OF JULY – 2025 - ALTERNATIVE**

### **Nathaniel Pryor v. Michael Corrigan, et al., 124 F.4th 475, December 23, 2024.**

1. In this case, Pryor accused the Officers of False Arrest. In these types of cases, the existence of probable cause is an absolute defense to a claim of false arrest.  
  
**a. True.** As this Court declared, “Probable cause is an absolute defense to a false arrest claim, and we analyze it objectively. *Abbott v. Sangamon County*, 705 F.3d 706, 713 (7th Cir. 2013).”
2. Pryor exited the car in which he was a passenger and walked away after it was pulled over by the Officers. Were the Officers justified in arresting Pryor based upon his conduct.  
  
**a. Yes.** As this Court held, “Considering the totality of the evidence, a reasonable officer in Corrigan's position could have concluded that Pryor was leaving a lawful traffic stop. When a passenger does so, an officer has probable cause to arrest for resisting or obstructing a police officer. See *People v. Johnson*, 348 Ill. Dec. 695, (2010) (defendant, a passenger in vehicle lawfully stopped for traffic infraction, attempted to evade police by running from vehicle; officers had probable cause to arrest him for obstruction under Illinois law).”
3. Pryor complained that Officer Corrigan used excessive force in placing him under arrest. The Courts rejected this argument and concluded that Officer Corrigan did not use excessive force against Pryor.  
  
**b. False.** The Federal Courts did not conclude that Officer Corrigan used reasonable force when arresting Pryor. Rather, the Courts concluded that Officer Corrigan was entitled to qualified immunity from any allegations of the excessive use of force.
4. Officer Corrigan argued that he was justified in twice searching the person of Pryor. Did the Courts agree with this argument?  
  
**a. Yes.** The Federal Courts concluded that Officer Corrigan’s searches of Pryor were legal.