



Written by [Kelly Holt](#) on January 5, 2011

## Ohio Man Sues Sheriff's Dept After Beating by Deputies

The Cincinnati Enquirer reported on Dec. 30 that 52-year-old Ohio resident John Harmon is suing the Hamilton County sheriff's department and four deputies for civil rights violations after an October 2009 traffic stop turned violent. The stop quickly escalated into an abusive incident in which Harmon was seriously beaten and his property damaged.



Harmon, who is black, and his wife were driving from their downtown marketing company to their Anderson Township home (about 10-15 miles away) shortly after midnight when a county deputy spotted Harmon's car weaving into another lane. Harmon is a diabetic, and it was later determined that a dangerous drop in his blood sugar level caused the erratic driving. Sheriff's Deputy Ryan Wolf, however, suspected drunk driving and stopped the SUV. Wolf and Deputy Matthew Wissel approached the vehicle with guns drawn.

What happened next is shocking. According to [MSNBC](#), "The Sheriff's Office investigation indicated that Harmon did not respond to verbal commands to turn off the car and exit the vehicle. He simply sat passively behind the wheel of the vehicle."

Harmon's attorney Tim Burke added, "Instead of the officers realizing there was a medical emergency that virtually had John in a diabetic coma, all of a sudden, after he's stopped, the window is busted out of his car."

Harmon remembers:

The deputy's face was extremely contorted, he was screaming. I remember being taken aback, recoil[ing] and [thinking], 'What's going on?' I was being presented with pure evil. It was a chilling experience.

Wissel then Tased Harmon in the first of seven shocks he would receive; a third deputy then appeared, John Haynes, having responded to a call for backup. They tried to pull Harmon from the car but he was caught by his seat belt. Harmon was Tased again, then Wissel cut him free of the seat belt.

Harmon continues,

I was violently dragged from the vehicle, thrown on the ground, kicked in the head by a boot, and stomped mercilessly.... It all happened so quick. I didn't have time to think or react. I just remember being on the ground, the intense pain and being pummeled.

He thought it was a gang attack, and prayed the whole time. "I thought for sure I was going to die," he



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says.

When Deputy Shawn Cox arrived, Harmon was begging for mercy.

But at this point Ohio State Highway Patrolman Chris Sanger happened upon the scene and saw Harmon on the ground, in pain, with several deputies on top of him. His dashboard camera captured some of the events and sounds of what appear to be a beating. He stated that though Harmon was complying, the deputies were using excessive force. Sanger separated Wolf from Harmon twice because of the abusive treatment.

Harmon declares, "I'm so thankful the state trooper got there. If not, I believe I may have been killed."

His diabetic kit was found on the floor of his car and deputies questioned him about his condition, then decided to call paramedics. Upon arrival, the paramedics confirmed Harmon's alarming blood sugar level, and he was taken to a hospital, treated, and released — only to be booked into the county jail and held for five hours. Deputy Wolf had brought felony charges against him for resisting arrest.

Trooper Sanger, in the meantime, informed his highway patrol superiors of what had happened, and the sheriff's office was called.

The sheriff's patrol division commander, Col. Ramon Hoffbauer, concluded that once Harmon's diabetic condition had been discovered, his driving should have been considered a medical emergency, not alcohol-related. He added,

In my opinion, the breaking of the window, the repeated use of the Taser and the manner in which Mr. Harmon was removed from his vehicle was clearly an excessive use of force and is unacceptable behavior. In addition to the use of force issue, the fact criminal charges were filed against Mr. Harmon, knowing his conduct was possibly the result of a diabetic emergency, was inappropriate to say the least.

Sheriff Simon Leis (photo above) didn't comment on pending litigation, but Haynes was suspended 10 days without pay for violating sheriff's rules for use of excessive force, Wissel for five days, and Wolf for two. Sergeant Barbara Stuckey, who had signed off on Wolf's charges, earned a 10-day suspension for paperwork violations and wrongly authorizing formal charges. No wrongdoing was attributed to Cox. None of the officers, who are all still working, returned the *Enquirer's* calls for comment.

Following the incident, all Hamilton County sheriff's deputies were trained to recognize medical symptoms.

Harmon believes the attack might have been racially motivated, and that he wouldn't have received the same treatment if he were white. "I do think that maybe (race) was a factor. Just out of common decency some of the things that were done here don't make sense, even if I were drunk," he noted.

In the lawsuit, the couple cited false arrest, malicious prosecution, excessive force, battery, intentional infliction of emotional distress and loss of consortium, and asked for an unspecified amount of money. The suit came after an attempt at settlement earlier this month deteriorated, but at least elicited an apology from Sheriff Leis.

Harmon was appreciative, but disturbed that the deputies weren't fined, noting that even those not directly involved did not intervene.

Though the charges against Harmon were dropped two weeks after the incident, he has endured three surgeries on his elbow and one on his thumb, and could face shoulder and elbow replacement.



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Police and sheriff's departments continue to be scrutinized for abuses. Yet many Americans are concerned that reports of abuse will be used to justify centralizing police forces, and urge local authorities to be vigilant in dealing with their departments.

*Photo: Hamilton County Sheriff Simon Leis*



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