

## Beloit to pay \$265,000 to settle strip-search lawsuit

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The city of Beloit has agreed to pay an Illinois teen \$265,000 to settle a lawsuit alleging that he was illegally strip-searched and subjected to police brutality.

The settlement follows pre-trial rulings by a federal judge in Madison that it's illegal to conduct a strip search in public. That's in contrast to jailhouse strip searches, which the U.S. Supreme Court upheld as constitutional earlier this month.

Court records say the South Beloit, Ill., boy was in a parked car with two others in January 2010 when someone called police to report drug activity. Officer Kerry Daugherty patted down the 16-year-old and saw a bulge in the boy's pants, according to [a Milwaukee Journal Sentinel report](#).

The officer asked him what the bulge was and the boy said it was his genitalia, Daugherty testified in a deposition.

"I don't believe you. Show me," Daugherty said.

The boy unfastened his pants and exposed himself. Daugherty testified that he pushed the teen against the car "to stabilize him." The boy's head shattered the back windshield, and he suffered a concussion.

Daugherty later found a small baggie of marijuana hidden in the teen's underwear.

During the deposition, Amy Scarr, the teen's attorney, asked Daugherty why he didn't conduct the strip search at the station. Daugherty answered: "I don't know. It's just not the way we operate. We continue the investigation on the street where we were."

Daugherty said he wanted the boy to show him the marijuana, not his private parts.

Scarr said afterward that police must be held accountable.

"They have a lot of authority, and we have to be able to trust them," she said.

Attorney Gregg Gunta, who represented Daugherty and the city, said the officer was simply responding to the teen's "bizarre conduct."

Gunta said Daugherty could see the bag of marijuana protruding from the waistband of the boy's underwear. When the officer said he didn't believe the boy's denial about possessing drugs, the teen pulled out his penis and shook it at the officer, Gunta said.

"The officer's reaction was not excessive or out of the ordinary," he told The Associated Press.

Confronted by the boy's gesture, Gunta said the officer pushed the boy back to create separation. The boy slipped on the snow-covered ground and his head cracked the car window.

The defendants agreed to settle the case because it was unclear how a jury would respond to some of the details, he said.

Daugherty was not disciplined after the incident, according to court records. The teen wasn't charged with a crime but he did receive a municipal citation, according to his attorney.