

AELE Amicus Curiae Brief Cases

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C. State Courts

[Won](#) (1992)

People v. Winsett

Illinois Supreme Court
153 Ill. 2d 335; 606 N.E. 2d 1186

Testimony of a person hired by the defendant to commit a murder was not tainted as "fruit of the poisoned tree," because of a Miranda - impaired confession.

Other disposition (1983)

State v. La France

471 A. 2d 340
New Hampshire Supreme Court

Whether a trial judge has discretion to order police officers to disarm before entering a courtroom. Although the state supreme court rejected the appeal, it adopted the authority sought by Rule of Court.

[Won](#) (1984)

Begg v. Park Ridge (II)

459 N.E. 2d 925
Illinois Supreme Court
Same case as below, higher appeal.
View [opinion here](#).

[Won](#) (1982)

Begg v. Park Ridge (I)

443 N.E. 2d 222
Illinois Appellate Court (Second District)

Upheld right of chief to discipline a subordinate officer for continued failure to meet reasonable traffic enforcement performance standards.

[Won](#) (1987)

Long v. A.C.L.U. of So. Cal.

Superior Court #359823, Orange County, California

Police officer, who was ejected from an ACLU seminar and was publicly humiliated by an ACLU speaker, brought suit for his emotional distress. AELE provided substantial funding and research for his legal team. He recovered \$20,000 plus legal costs at trial; the case was settled for a lesser amount on appeal.

[Won](#) (1981)

Jenkins v. Kreiger

Ohio Supreme Court
67 Ohio St. 2d 314; 423 N.E. 2d 856

Liability of sheriff for inmate injuries when county commissioners refused funding for additional deputies.

[Lost](#) (1980)

Hubbard v. Boelt

California Supreme Court
620 P. 2d 156; 28 Cal.3d 480

Involved right of police officer to sue criminal who negligently caused injuries to the officer.

[Won](#) (1980)

People v. Smithers

Illinois Supreme Court
415 N.E. 2d 327

Involved legality of pat-down frisk of man leaving tavern; officers were responding to a man-with-gun call for help.

Lost (1980)

Chaney v. Civil Service Commission

Illinois Supreme Court

412 N.E. 2d 497

Involves the legality of use of assumed names by undercover officers involved in an organized crime investigation.

Won (1979)

Peaches v. City of Evansville

Indiana Court of Appeals

389 N.E. 2d 322

Upheld the right of police officers to use deadly force, as a last resort, to stop a fleeing felon.

Won (1977)

People v. Woglemuth

Illinois Supreme Court

370 N.E. 2d 1067; 69 Ill.2d 154

Illinois Supreme Court reversed an appellate court ruling which would have required officers who possessed an Iowa warrant to also obtain an Illinois warrant before arresting a fugitive and searching him incidental to that arrest.

Won (1977)

State ex rel Bd. of Police Commissioners v. Vardeman

Missouri Supreme Court

562 S.W.2d 349; 1978 Mo. Lexis 371

AELE argued, in a civil case, against an attempt by the Socialist Workers Party plaintiffs to discover police intelligence files.

Won (1976)

Toomey v. Tolin

Florida Supreme Court

No. 47,483; see the decision of the Florida Court of Appeals (Fourth District) at 311 So. 2d 678; 1975 Fla. App. Lexis 15062.

AELE argued that police officers were not liable in civil suits for acts taken on advice of their department's legal officer, an attorney. The appeal to the state Supreme Court was dismissed and the lower court verdict favoring the officer was reinstated.

Won (1976)

Manis v. Miller

Florida Court of Appeals

317 So. 2d 117

Victim of armed robbery identified her assailant who was arrested but not prosecuted. In suit for false arrest, trial court held crime victim liable for damages even though she made identification in complete good faith. AELE argued this is contrary to the law and against public policy.

Lost (1975)

Lexington-Fayette Co. v. Park

Kentucky Court of Appeals

No. 75-211 (Unpublished)

AELE argued that police internal investigations files should not be subject to discovery in a civil action against police officer(s).

Lost (1975)

People v. Schwanz

Circuit Court of Cook County, Illinois

Indictment #74-2625 (By Court Appointment)

AELE argued that Illinois statute allowing trial court to assess costs of criminal trial against convicted defendant is proper and constitutional.

Lost (1975)

Fancil v Q.S.E. Foods

Illinois Supreme Court

328 N.E. 2d 538

Widow of police officer sued for wrongful death of her husband, who was killed by a burglar while making routine security check of previously burglarized store. Owner had disconnected all exterior lighting at the store. AELE supported the widow's position.

Lost (1975)

People ex rel Carey v. Power

Illinois Supreme Court

322 N.E. 2d 476

AELE argued that Chief Judge of Cook County Criminal Court should be required to empanel a second grand jury, authorized by law, to reduce a criminal backlog.

Lost (1974)

Pitchess v. Superior Court (Escheveria)

California Supreme Court

522 P. 2d 305

AELE argued that plaintiff, alleging police misconduct, cannot obtain, by discovery, disciplinary records of arresting officers who have previously been found guilty of misconduct either by a court or by internal investigations unit.

Won (1974)

Walsh v. Oehlert

Missouri Court of Appeals (Eastern Division)

508 S.W. 2d 222

AELE argued that police detective, in hot pursuit of escaped suspected felon, was not liable for failure to advise other pursuing officers that escapee was a juvenile.

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