

The Virgin Islands Consortium

New Yorker Sues VIPA, Port Police After Alleged Airport Tackle Fractured His Wrist

New Yorker Cory Lawhorn alleges a VIPA officer tackled him to the terminal floor during an airport dispute, fracturing his wrist. He says he was never arrested at all, posed no threat and later required surgery, while other officers failed to intervene.

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The Cyril E. King Airport in St. Thomas. By. **ERNICE GILBERT, V.I. CONSORTIUM.**

ST. THOMAS — A New York resident is suing the Virgin Islands Port Authority and several Port Police officers, alleging that an officer tackled him to the floor at Cyril E. King Airport during a dispute at the Delta Air Lines ticket counter, fracturing his wrist even

though, according to the complaint, he was unarmed, made no threats and was never arrested.

Cory Lawhorn filed the civil complaint in District Court on Monday over the August 4 incident, accusing VIPA and individual officers of excessive force, unreasonable seizure, failure to intervene and other constitutional and territorial-law violations.

According to the complaint, Mr. Lawhorn was at the Delta ticket counter at approximately 6:30 p.m. when he and other travelers were informed that the airport's security checkpoints had closed for the evening, preventing them from checking in for their flight.

"A verbal dispute followed between members of the traveling public and Delta Airlines personnel, as the would-be travelers were now stranded in St. Thomas," the lawsuit states.

Several VIPA law-enforcement officers responded, including defendants Ryan Thomas and R. Defreitas, along with other officers whose identities are not yet known, according to the filing.

Mr. Lawhorn disputes any suggestion that his conduct justified physical intervention. The complaint alleges that he was unarmed, never touched another person or airport property, did not lunge at or threaten officers, did not step behind the ticket counter and did not "thrust a cellular telephone into the face of any airport employee or Delta personnel."

The lawsuit acknowledges that Mr. Lawhorn may have "raised his frustrations to airport personnel, Delta employees, or VIPA police officers," but argues that such speech was constitutionally protected and did not justify "detention, seizure, and physical force."

According to the complaint, Officer Thomas nevertheless ran toward Mr. Lawhorn and tackled him, "driving Plaintiff's body violently to the hard terminal floor."

The lawsuit characterizes that act as an "application of force" constituting "a seizure of Plaintiff within the meaning of the Fourth Amendment." It further alleges that the force "was grossly disproportionate to any legitimate governmental interest and was objectively unreasonable under the totality of the circumstances."

The remaining officers named in the suit are accused of watching the alleged use of force without intervening. The complaint also alleges that an unidentified sergeant believed to be the ranking officer at the scene "breached his duty to direct or use any measure to control the use of force by subordinate officers."

Mr. Lawhorn alleges that the tackle fractured his left wrist and caused additional injuries that are not specified in the complaint. He further claims that officers provided him no medical assistance afterward.

One of Mr. Lawhorn's traveling companions was ultimately arrested and charged in connection with the ticket-counter disturbance, but Mr. Lawhorn himself was not arrested.

The complaint argues that this supports his contention that "the officers on the scene did not themselves believe Plaintiff had committed any offense or posed any threat

warranting seizure.”

After returning to New York, Mr. Lawhorn underwent surgery to repair the fractured wrist, according to the lawsuit. His treatment is ongoing, and the complaint says he is likely to require “further orthopedic care, therapy and surgery.”

Mr. Lawhorn also alleges that the incident caused psychological injuries in addition to his physical harm.

The lawsuit asserts claims including excessive force, unreasonable seizure and deprivation of due process, along with failure to intervene, supervisory and entity liability, battery, assault, negligence and infliction of emotional distress.

Mr. Lawhorn is seeking compensatory and punitive damages from VIPA and the individual defendants, including several officers who have not yet been identified by name.