

Bond Case Briefs

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IMMUNITY - DISTRICT OF COLUMBIA

Dukore v. District of Columbia

United States District Court, District of Columbia - September 19, 2013 - F.Supp.2d - 2013 WL 5278353

Occupy D.C. protesters filed § 1983 action alleging that District of Columbia police officers falsely arrested and imprisoned them, violated their due process rights, engaged in civil conspiracy, and converted their tent.

The District Court held that:

- Municipal regulation prohibiting use of tents as temporary place of abodes was not so grossly and flagrantly unconstitutional as to preclude officers from asserting qualified immunity;
- It was not unreasonable for officers to believe that probable cause existed to arrest protestors for violating ordinance;
- Seizure of protestors' tent did not violate First Amendment;
- It was not unreasonable for officers to believe that tent was evidence that they had violated ordinance;
- Officers did not violate protestors' right to procedural due process; and
- Protestors stated conversion claim.