

# **Bond Case Briefs**

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## **LIABILITY - ILLINOIS**

### **Ellwood v. City of Chicago**

**United States District Court, N.D. Illinois, Eastern Division - March 6, 2014 - Not Reported in F.Supp.2d - 2014 WL 883553**

On April 25, 2008, Chicago police officers arrested Steven M. Dick following an investigation into a series of disturbing letters that the police had received threatening an imminent shooting at a local elementary school. The letters threatened retribution for the police's shooting of a wild cougar, which had taken place in Mr. Dick's backyard. The police suspected that Mr. Dick was the author of the threatening letters and arrested him the day before the school shooting was supposed to take place. The police did not charge Mr. Dick with any offenses related to the threatening letters, however, and instead charged him with possessing unregistered weapons and with assault. These charges against Mr. Dick were eventually dropped, and, six years later, another man pleaded guilty to sending the letters.

Mr. Dick sued the City of Chicago and the police officers involved in his arrest, alleging false arrest, involuntary commitment, illegal search, a failure to train, and conspiracy under [42 U.S.C. § 1983](#), as well as various state-law claims. Mr. Dick has since passed away, and his sister, Lauren Ellwood had taken over this litigation as the special administrator of Mr. Dick's estate. Defendants moved for summary judgment on all claims.

The District Court held that:

- The police acted reasonably in arresting Mr. Dick and taking him to the hospital after he bonded out of police custody, and thus defendants were entitled to summary judgment on the false arrest and involuntary commitment claims;
- Defendants were entitled to summary judgment on Plaintiff's illegal search, failure-to-train, and conspiracy claims;
- There was no probable cause to support the offenses with which Mr. Dick was charged, and thus the court denied summary judgment as to the state-law malicious prosecution claim.