

Bond Case Briefs

Municipal Finance Law Since 1971

LIABILITY - IOWA

White v. Harkrider

Supreme Court of Iowa - May 12, 2023 - N.W.2d - 2023 WL 3395946

Arrestee's spouse brought action against city, county, police officer, and deputy sheriff, alleging state constitutional tort claims, as well as claims for intentional infliction of emotional distress, trespass, and assault, arising out of warrantless arrest which occurred at their residence.

The District Court granted in part and denied in part defendants' motion to dismiss for failure to state claim. Application of spouse and cross-application of defendants for interlocutory appeal was granted.

The Supreme Court held that:

- Defendants' alleged conduct in effecting warrantless arrest was not outrageous, precluding claim for intentional infliction of emotional distress;
- Officers did not commit trespass when they entered spouse's property; but
- Spouse sufficiently stated claim for assault.