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CRIME & COURTS

## SC woman repeatedly tased, falsely arrested wins \$550k in lawsuit against Richland sheriff

[BY TED CLIFFORD](#)

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The Richland County Sheriff's Department will have to pay \$500,000 following a federal jury trial where they were found liable for former Deputy Cameron Duecker's unlawful arrest and repeated tasing of a 58-year-old woman. [online@thestate.com](mailto:online@thestate.com)



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A federal jury has found the Richland County Sheriff's Department must pay a half-million dollars after a former deputy repeatedly tased and arrested a 58-year-old woman in her own home in 2019.

Sheila Webb had called 911 to stop her brother from taking their sick mother's car. Instead, an argument between her and the responding deputy escalated until he entered her home without probable cause and tased her repeatedly while she tried to hide under a blanket, according to court documents.

Webb ended up in cuffs, charged with resisting arrest and breach of peace.

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On Thursday, the jury rejected the department's claim that the deputy was acting outside of his role as a law enforcement officer during the assault. However, the jury did not find the sheriff's department liable for any negligence in how the deputy, Cameron James Duecker, was trained, retained or supervised.

Jurors found that the sheriff's department owes Webb \$500,000 under the State Tort Claims Act for "specific instances of assault and battery, gross negligence and false imprisonment" committed by the deputy while he was acting in an official capacity, according to Luke Shealey, one of Webb's attorneys.

Duecker was also found personally liable for excessive force and unlawful seizure under a federal civil rights law. Jurors decided he must pay \$50,000 in damages.

Shortly after the 2019 incident, [Duecker was fired from the sheriff's department](#) after an investigation and was charged with third degree assault.

"The real story is that the Richland County Sheriff's Department's system of holding deputies accountable worked," Sheriff Leon Lott said in a statement. "It is unacceptable that someone representing RCSD crossed the line and tarnished the RCSD badge and oath."

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Because the jury determined that Duecker was acting as an employee of the sheriff's department while he violated Webb's rights, the agency is liable for damages caused by Duecker's actions. .

"We're very happy for our client and we hope this does send a message... We need police, they serve a valuable role in our society but we have to make sure that they aren't hurting people," Shealey said.

This was not the first time Duecker has been involved in a lawsuit. In 2017 the city of Columbia was found liable for negligent supervision and false arrest after Duecker arrested a USC professor on a suspected DUI. While the lawsuit was not considered at the recent trial, the jury did watch body camera footage of a separate 2018 incident where Duecker tased a suspect during a disorderly conduct arrest. A review by the Richland County Sheriff's Department at the time found no wrongdoing on Duecker's part.

Duecker's attorney, Scott Hayes, said that the juror's verdict reflected what they found to be a fair allocation of responsibility. "They had the opportunity to find that my client was solely accountable for any injuries to Ms. Webb and they did not," Hayes said.

Lott emphasized in a statement that "Duecker acted totally on his own in his actions that day. His actions were not consistent with the training and policies of the department. In fact, they were a violation of the law." While the jury agreed that the department was not negligent in supervising or retaining Duecker, they rejected the argument that Duecker acted outside the scope of his duties as a deputy.

The sheriff's department has said that it anticipates filing post-trial motions, but it has not decided if it will appeal the verdict.

Webb was represented by Shealey, his twin brother, Brian Shealey, Chris Truluck and Caroline Latimer.

The sheriff's department's position throughout the lawsuit was that Duecker was a lone officer, acting without authority and outside of the scope of his duties. This argument can be a strong defense, and is part of the broad protection enjoyed by law enforcement agencies from civil lawsuits, Shealey said.

If an agency can prove that the officer was acting outside of their duties, with malice or with the intention to harm the person, the agency itself is not liable for the officer's actions, according to Shealey.

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“The sheriff’s department’s whole theory was that (the incident) was so monstrous, it was so gruesome... that it was outside of the scope of his duties,” Shealey said. But the jury found that Duecker was on the job and trying to conduct what he thought was a legal arrest when he repeatedly tased Webb.

In court filings, Duecker maintained he was just doing what he believed he had been trained to do.

“My client was performing his duties in good faith within the official scope of his duties. The jury’s verdict signified that Mr. Duecker did not act with actual malice or intent to harm as asserted by the sheriff’s department,” Hayes said.

The sheriff’s department reported Duecker’s actions to the South Carolina Criminal Justice Academy, which maintains records of law enforcement misconduct. “As a result, he is no longer permitted to work in law enforcement in South Carolina,” Lott said.

“Duecker was not really a bad guy,” Shealy said. But “he had these tools that could hurt people.”

## **THE INCIDENT**

On the afternoon of Feb. 1, 2019, Webb called 911 looking for help. She was living at her mother’s house in Irmo after being away from home for years, serving in the military. Her brother, William “Billy” Gossette, was living there too and they were butting heads.

In a deposition, Webb, who suffers from degenerative arthritis and fibromyalgia, said her brother kept taking their mother’s car, leaving Webb stranded at home and unable to visit their mother who was at a local hospital. She was frustrated, and after a couple glasses of wine she called 911 and asked that an officer come to the house and take the car keys from her brother, according to the deposition.

Duecker was then dispatched to the house. He had been promoted to master deputy just 20 days before, Shealey said. Up until that point, he’d had a clean record with the sheriff’s department.

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While the initial complaint highlighted a 2018 incident where Duecker tased a man during an arrest, the sheriff's department found no evidence of excessive force after a standard review. The jury watched body camera footage of the incident where Duecker entered a Richland County man's home after determining his music was too loud, "rushed" him and tased the man on his spine. The man was arrested on a disorderly conduct charge. No finding of excessive force was made against Duecker and the charge against the man was dismissed, but not before Duecker expressed "hesitation" to a public defender that he could be sued after dismissing the charge, according to court filings.

Prior to this incident, the city of Columbia was sued over an arrest made by Duecker. In 2014, while serving with the Columbia Police Department, Duecker arrested Darris Hassell, USC professor of languages, on suspicion of driving drunk. Despite Hassell passing a field sobriety test and a breathalyzer, which showed that he had a .00 blood alcohol content, Duecker cuffed Hassell and made him perform a urine test at a local hospital. Hassell was then jailed at the Alvin S Glenn Detention Center. In 2017, [Hassell won more than \\$200,000 in a lawsuit](#) against the city of Columbia.

When Duecker arrived at Webb's house, the car was in the driveway. Duecker said that he wasn't getting involved in a civil matter between Webb and her brother, according to court documents.

Webb became upset. She referred to herself as a colonel and told Duecker to back away from her. Escalating the situation, Duecker took out his handcuffs and told Webb that if she called 911 again, he would take her to jail for unlawful use of 911.

In an angry exchange recorded by Duecker's body camera, Webb told Duecker that "he would not be arresting her, that she was going to call Sheriff Leon Lott," according to court documents.

You're not "going to do s---," Webb told Duecker, according to court records.

The encounter grew more heated until finally Duecker had enough. He entered the home without a warrant and told Webb "you're going to jail for filing a false police report."

"Under the Fourth Amendment of the constitution, a law enforcement officer cannot enter a home without a warrant, consent, or exigent circumstances that produce probable cause," Shealey said. But Duecker "claimed, honestly, that he thought that he could enter a home just under the suspicion that a crime was afoot."

Duecker pursued Webb into her bedroom, where she hid under the sheets to avoid being handcuffed, according to court documents. As Webb twisted beneath him, trying to avoid the handcuffs, Duecker ordered her to stop resisting and said that he would charge her for assaulting an officer.

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Unable to wrestle her hands into the cuffs, Duecker then drew his taser and repeatedly shocked Webb. Over three minutes, he used his taser on Webb nine times. He fired the taser at Webb five times, and pressed it against her body repeatedly, according to court records. Each time it connected, the weapon delivered a five-second blast of up to 50,000 volts of electricity — designed to “override” the central nervous system — according to court records.

“(Duecker) believed that if someone doesn’t calm down when he orders it, he had the right to put handcuffs on them. If someone pulled away from the handcuffs, that was resisting arrest. And if they were resisting arrest he could tase them,” Shealey said.

Duecker’s supervisors were appalled. “That is a 70-year-old woman, you tased her, what the f---, what happened,” Cpl. David Fairbanks said when he arrived at the scene, apparently misidentifying Webb’s age, according to court documents.

At first, Duecker wanted to charge ahead with his plan to arrest Webb for misusing 911, but in a conference with his supervisors, they agreed to instead arrest and charge Webb for breach of peace and resisting arrest.

Duecker was fired and charged following a short internal investigation. The charges against Webb were dismissed in March 2019. Webb supported allowing Duecker to enter into pre-trial intervention on his assault charge.

“She’s a godly woman,” Shealey said.

This story was originally published January 13, 2023 3:54 PM.

***CORRECTION:*** This story has been corrected to state that jurors did not determine the Richland County Sheriff’s Department was more liable than the deputy, Cameron James Duecker. All liability in the case stemmed from Duecker’s actions. Also, an internal affairs investigation by the Richland County Sheriff’s Department on Duecker’s use of a taser in a previous arrest did not constitute an excessive force investigation. There was no finding of excessive force.

CORRECTED JAN 20, 2023



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