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[Livermore Police Sued Over Arrest](#) [Disabled vet claims cops unnecessarily harsh](#)

- [Henry K. Lee, Chronicle Staff Writer](#)

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A disabled Vietnam War veteran who once worked as a sheriff's deputy in Tennessee filed a federal lawsuit against Livermore police yesterday, accusing officers of injuring his back during an arrest despite his warning that he could not physically comply with their demands.

Robert W. Jackson, Jr., 48, alleges that his civil rights were violated last year when officers, investigating a report that he was armed with a gun, "tackled" him after he told them that he could not get down on his knees as ordered.

Jackson, described by his attorney as a highly decorated war hero, suffers from degenerative arthritis in his back and knees that stems from injuries he received when the helicopter he was piloting in Vietnam was shot down.

According to the lawsuit, officers ignored his explanation and forced the unarmed Jackson to the ground, further injuring his back, breaking his foot and aggravating his symptoms of post-traumatic stress disorder.

The suit, filed in U.S. District Court in Oakland, names the city of Livermore and six police officers as defendants. It alleges negligence, assault, battery and infliction of emotional distress and seeks unspecified monetary damages.

Jackson, who worked for the Franklin County Sheriff's Department in Tennessee as a deputy from 1990 to 1994, was arrested on suspicion of resisting arrest, but no charges were filed.

"I was in my own home. I wasn't doing anything wrong," Jackson said. "What they did to me hurts me as much as any injury I got serving my country."

Livermore police officials were at a training workshop yesterday and were unavailable for comment. A message left at the city attorney and risk management offices were not returned.

The incident began the evening of May 28 when Jackson, concerned that his dog was barking, armed himself with his wife's .45-caliber pistol at his home in an apartment complex on Murdell Lane. After he went out to his balcony with the gun, a neighbor called police.

Jackson said he had returned inside and put down the gun by the time a dispatcher called and told him to go out on his balcony with his hands up. Clad in a shirt and boxer shorts, Jackson met the police at the front door, where at least one officer rammed his knee into Jackson's back before he was forcibly handcuffed, the suit said.

Oakland attorney Michael Haddad said the officers knew Jackson was unarmed and was not a threat.

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``It's well established that when the police are aware that a person has a disability, their training should teach them that they must take that into account," he said.

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