



## Deputy used excessive force after vehicle stop: plaintiff

**Amount:** \$950,000

**Type:** Settlement

**State:** California

**Venue:** Federal

**Court:** United States District Court, Central District, Los Angeles, CA

**Injury Type(s):**

- *back* - fracture, back
- *surgeries/treatment* - laminectomy; laminectomy, lumbar

**Case Type:**

- *Government* - Police; Counties; Excessive Force
- *Civil Rights* - Police as Defendant
- *Constitutional Law* - Search and Seizure

**Case Name:** Chandler Dillon French v. County of Santa Barbara; Deputy A. Muneton, in his individual and official capacity; and Does 1 through 10, inclusive, No. 2:2019cv04734

**Date:** March 10, 2020

**Plaintiff(s):**

- Chandler Dillon French (Male, 29 Years)

**Plaintiff Attorney(s):**

- Bradley C. Gage; Goldberg & Gage; Woodland Hills CA for Chandler Dillon French

**Plaintiff Expert(s):**

- Amy M. Wickman M.D.; Orthopedic Surgery; Santa Barbara, CA called by: Bradley C. Gage
- Josef Maatuk Ph.D., P.E.; Biomechanical; Los Angeles, CA called by: Bradley C. Gage
- Ralph Webb; Police Practices & Procedures; Los Angeles, CA called by: Bradley C. Gage

**Defendant(s):**

- Deputy A. Muneton
- County of Santa Barbara

**Defense  
Attorney(s):**

- Michael M. Youngdahl; Office of the County Counsel; Santa Barbara, CA for County of Santa Barbara, Deputy A. Muneton
- Christopher E. Dawood; Office of the County Counsel; Santa Barbara, CA for County of Santa Barbara, Deputy A. Muneton
- Julius O. Abanise; Office of the County Counsel; Santa Barbara, CA for County of Santa Barbara, Deputy A. Muneton

**Defendant  
Expert(s):**

- Kurt D. Weiss; Accident Reconstruction; Santa Barbara, CA called by: for Michael M. Youngdahl, Christopher E. Dawood, Julius O. Abanise
- Bryan C. Randles M.S.; Biomechanical; Long Beach, CA called by: for Michael M. Youngdahl, Christopher E. Dawood, Julius O. Abanise
- Kenton S. Wong M.A., D-A.B.C.; Drug Toxicology (Drug Testing); Hayward, CA called by: for Michael M. Youngdahl, Christopher E. Dawood, Julius O. Abanise
- Parris Ward; Accident Reconstruction; Pacific Palisades, CA called by: for Michael M. Youngdahl, Christopher E. Dawood, Julius O. Abanise
- Philip Delio M.D.; Neurology; Santa Barbara, CA called by: for Michael M. Youngdahl, Christopher E. Dawood, Julius O. Abanise
- Clarence R. Chapman; Police Practices & Procedures; Woodland Hills, CA called by: for Michael M. Youngdahl, Christopher E. Dawood, Julius O. Abanise
- Jennifer Batt M.S.; Criminalistics; Sacramento, CA called by: for Michael M. Youngdahl, Christopher E. Dawood, Julius O. Abanise

**Facts:**

On June 1, 2018, plaintiff Chandler French, 29, an unemployed and homeless man, was operating a truck on a freeway in Santa Barbara County when he began to be pursued by Deputy A. Muneton of the Santa Barbara County Sheriff's Department. French's truck hit a curb, went through a planter and impacted two boulders. His truck then bounced off the curb and planter, and went back onto the street, causing his air bag to deploy. During the accident, the undercarriage of the truck was damaged, causing oil and other fluids to leak from the truck. Eventually, the truck coasted up another curb and stopped as it touched a building. As French exited his car, Muneton ordered French to get on the ground. French claimed Muneton grabbed him, raised him up and then threw him onto the ground. It was undisputed that Muneton punched French at least two times in the head or face region before being arrested. French was accused of several violations of the Vehicle Code, including speeding, driving under the influence and damage to landscape/center median. French claimed he suffered injuries to his back during the incident with Muneton.

French sued Muneton and Muneton's employer, the county of Santa Barbara. French alleged that Muneton's actions constituted excessive force and an unreasonable search and seizure in violation of his civil rights.

According to plaintiff's counsel, several of the defense's experts changed their opinions from those in their previous Rule 26 reports during cross-examination at depositions. Counsel also contended that toxicology experts could not establish a chain of custody, so the allegations that French had both heroin and methamphetamine in his system were not reliable. As a result, plaintiff's counsel asserted during motions in limine that the toxicology evidence should be excluded.

Plaintiff's counsel asserted that French never resisted or attempted to run from the scene and that even though French was unable to run due to injuries sustained during the automobile accident, Muneton falsely yelled for French to "stop running." Counsel

contended that a person most knowledgeable was prepared to testify that deputies from the Santa Barbara County Sheriff's Department were trained to yell "stop running" or "stop resisting" during an arrest because one of the benefits is that, if there is a later claim of excessive force, it sounds good for the jury to hear witnesses say they heard the deputies shout "stop resisting." In addition, while it was undisputed that Muneton punched French at least two times in the head or face region, French claimed he was struck more than two times.

Defense counsel asserted that this action was barred because French pleaded guilty to several crimes, including the felony of evading a pursuing police officer.

Muneton disputed French's version of events, claiming that he initially observed French driving erratically on the freeway, speeding and appearing to be under the influence of drugs and/or alcohol. He alleged that as a result, he activated his lights and siren as French exited the freeway, but rather than stopping, French ran a stop sign and drove his truck at speeds up to 58 mph while driving in the opposite direction on a one way street in a narrow residential area. Defense counsel contended that French drove so recklessly and fast that expert analysis demonstrated that French's truck flew 8 feet above the ground, as it traveled 57 feet, and that French continued driving out of control until his truck crashed. Muneton claimed that after the accident, French exited his car, so he repeatedly yelled for French to get on the ground, but that French did not comply. Muneton claimed that as a result, he drew his gun, approached French and repeatedly yelled for French to stop, but that French walked, ducked, and crawled behind his car and a railing. Muneton claimed that rather than shoot French, he ran up to French to arrest him, but that French threatened to hit him, started a fight and resisted arrest. Muneton claimed that French began to escape from his grasp as French started to fight and that as a result, he and French fell to the ground, with French at the bottom.

Defense counsel asserted that it was acceptable to use force against French because French was resisting arrest and because Muneton feared French would harm residents sleeping in their nearby homes.

In response, French denied that he threatened to strike Muneton.

**Injury:**

French claimed the impact of his truck's flight was so significant that it broke the frame off his road truck. After the incident with Muneton, French complained of back pain and was taken by ambulance to a hospital, where he was diagnosed with fracture to his back. He then underwent surgery on his back, which included a laminectomy.

French's counsel contended that Muneton's actions either caused or exacerbated the subject fracture. French was released from jail the day before for an unrelated event prior to the subject events.

Medical experts disagreed on whether or not French will need a future surgery on his back. Experts also disagreed on whether the need for such a surgery was caused by Muneton, the accident or an altercation that French had while in jail for a subsequent police encounter after the accident.

French sought recovery of approximately \$69,000 in past medical costs, after insurance reductions, and \$50,000 to \$100,000 in future medical costs. He also sought recovery of damages for his past and future pain and suffering.

Defense counsel asserted that the injury to French's back came from the series of automobile accidents while French was fleeing from Muneton and that the series of automobile accidents had such severe G-forces, that paralysis was often the outcome in studies performed by biomechanical experts.

In response, plaintiff's counsel asserted that if French's back was fractured as badly as defense counsel alleged, then French could not have escaped from the deputy.

**Result:**

The parties agreed to a \$950,000 settlement prior to trial, before motions in limine were heard. The settlement will be paid by the county on behalf of itself and Muneton.

**Trial Information:****Judge:**

John F. Walter

**Editor's  
Comment:**

This report is based on information that was provided by plaintiff's counsel. Defense counsel did not respond to the reporter's phone calls.