


Assault Charges Dropped for Alabama Cop Who Partially Paralyzed Indian Grandfather

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By Chris Fuchs

Following a motion filed Thursday by Alabama's attorney general, a judge dismissed state misdemeanor assault charges against a Madison police officer who allegedly slammed an Indian man to the ground last February during a suspicious-person stop.

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Alabama Attorney General Luther Strange's request came after two federal juries failed to reach verdicts in the civil rights case against Eric Parker, the officer accused of taking down 58-year-old Sureshbhai Patel, who was left seriously injured. U.S. District Judge Madeline Hughes Haikala, who presided over both trials, acquitted Parker in January, saying there was little chance a third trial would yield a different result.

"After a review of the federal trial testimony, it does not appear that there would be sufficient evidence to prove the case beyond a reasonable doubt," Strange said in a statement. "Thus, we have a duty to move to dismiss the charge."

Chirag Patel helps his father, Sureshbhai Patel, out of the car as they arrive outside the federal courthouse before start of a trial against Madison, Ala., police Officer Eric Sloan Parker, Tuesday, Sept. 1, 2015, in Huntsville, Ala. Brynn Anderson / AP

District Judge Douglas L. Patterson of Limestone County granted Strange's motion on Thursday.

Hank Sherrod, Patel's attorney, told NBC News in an email that the state's decision to drop the assault charge is deeply troubling, though not entirely surprising.

"This decision illustrates how difficult it is to hold law enforcement officers accountable under the criminal laws for brutal acts that would send an ordinary citizen to jail," he said.

Former Madison, Ala. police officer Eric Sloan Parker walks into a federal courthouse, Tuesday, Sept. 1, 2015, in Huntsville, Ala. Parker is on trial on a federal charge of using excessive force against an Indian man, 58-year-old Sureshbhai Patel, who was thrown down and partially paralyzed during a confrontation in a suburban neighborhood. Brynn Anderson / AP

Eric Parker's attorney, Robert Tuten, did not return a request for comment.

Parker, 27, still faces a civil lawsuit in connection with the incident. Parker encountered Patel last Feb. 6 while responding to a call of a suspicious black man looking at garages and walking near houses. Patel, in from India to visit his son and grandson, testified that he did not understand English or the officers who confronted him while he was out for a walk.

A widely viewed police dashcam video captured Patel's subsequent police takedown, which resulted in injuries to Patel's spine and partial paralysis.

In her 92-page ruling Jan. 13 granting a defense motion for acquittal, Haikala wrote that it was reasonable for Parker to have investigated Patel on the basis of the 911 call and that slow-motion clips from the dashcam showed Patel had resisted Parker before the takedown.

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57-year-old Sureshbhai Patel is in the hospital after he was stopped by Madison Police in Alabama while on a walk in his neighborhood. Courtesy of Hank Sherrod, attorney for Patel family.

Last month, Madison Police Chief Larry Muncey was found guilty of federal criminal contempt charges in connection with Parker's first trial. Muncey, who is on administrative leave pending the outcome of any appeals, violated a sequestration order that prohibits witnesses from hearing testimony of others called to the stand.

Muncey was ordered to pay a \$2,500 fine and attend training for legal exposure and liability.

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Chris Fuchs is a freelance journalist based in New York. His articles have appeared in *Foreign Policy*, the *Taipei Times*, and in Chinese on ETToday.net, a popular Taiwanese news website.