

# Driver seeks \$500K from city, department

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**GREEN BAY** - An Ashwaubenon man busted for drunken driving three years ago is claiming two Green Bay police officers were too rough with him.

Justin Belanger, 37, is suing the city, police department and two officers in U.S. District Court and seeking \$500,000 in damages.

Belanger was convicted in Brown County Circuit Court of his fourth drunken driving offense in the incident. He was sentenced to 130 days in jail. A related charge of resisting arrest was dismissed against him but read into the record at his sentencing.

Belanger pleaded no contest to the drunken-driving charge, and in his federal lawsuit, he doesn't deny that he was intoxicated. He also admits he kept asking why he was being arrested, declined to take a breathalyzer and suggested he needed at least 23 seconds to comply with each of the police commands.

"Mr. Belanger was still unable to ascertain the reason for his being 'retained,' so he continued to question Officer Beguhn on this topic," the lawsuit says. "Defendants improperly deployed a taser on an intoxicated individual and conducted a grossly negligent seizure ... even though he was not a danger to the officers and was willing to comply with their commands if given more than 23 seconds to do so."

Belanger claims he wasn't resisting when officers Clinton Beghun and Kevin Bahl threw him to the ground and tasered him.

Because he was drunk and handcuffed, he couldn't catch himself when they threw him

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COURTESY OF BROWN COUNTY JAIL

**Justin Belanger of Ashwaubenon claims the Green Bay Police Department used excessive force during his 2014 drunken driving arrest.**

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down. He landed on his face and broke bones in three places; Belanger claims.

The officers showed “a noticeable indifference” to his well-being and health during the incident, Belanger claims.

The officers had pulled

May 15, 2014, for “minor intra-lane deviation,” the suit says.

Green Bay police conducted an internal investigation at the time of the incident, Chief Andrew Smith said. He declined further comment because of the pending litigation.

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