



Press Release

Doutel v Norwalk Prevails on Claims of Fourth Amendment Violations

Unreasonable Search and Seizure Case against Norwalk Withstands Summary Judgment

Hartford CT, July 22, 2013: Claims of Fourth Amendment violations by four Norwalk police officers have survived the City of Norwalk's [motion for dismissal](#): A Connecticut Federal District Court has rendered a [ruling](#) in favor of the innocent and injured spouse of Duane Doutel from Norwalk, CT.

The City of Norwalk sought to have all charges in the complaint brought by the plaintiff, Barbara Casey Doutel of Norwalk, dismissed on the grounds of summary judgment. The charge that survived this motion was 'Unreasonable Search and Seizure in Violation of the 4th Amendment'. The search and seizure of Mrs. Doutel's firearms stemmed from Mr. Doutel's February 2010 arrest.

When the charges against Mr. Doutel were [brought to court](#), the charges were reduced and then ultimately dismissed entirely after a protracted and costly legal battle that spanned over 18 months and more than a dozen court appearances.

The Norwalk police had called Mr. Doutel prior to arriving at his home under the false pretenses of 'just wanting to talk to him'. Mr. Doutel had replied that they had no need to come to his home unless they had an arrest warrant in hand. Officer Jared Zwickler and fellow officers arrived at the home, ordering Mr. Doutel out of his home and then marching past the handcuffed Mr. Doutel into his home to search for firearms.

Judge Vanessa Bryant has found that material differences exist regarding whether or not police had consent to initiate a search of Mr. Doutel's home as well as the subsequent seizure of Mr. and Mrs. Doutel's firearms and other property. Before a jury sees the case, the case must survive settlement negotiations with a Federal Magistrate. Whether the City of Norwalk will come to their senses and recognize a losing case or not is anyone's guess at this point. Courts, towns and politicians have certainly shown a gross bias to anything related to firearms since the Newtown massacre; the actions of Norwalk and the Federal Magistrate will be interesting to observe.

Attorney Rachel Baird filed Mrs. Doutel's [complaint](#) in Federal court on July 25, 2011. Mr. Doutel has yet to file his own lawsuit against the City of Norwalk for their role in his arrest.

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