

Black woman sues Utah police officer for unlawful arrest



The Associated Press

June 30, 2020

<https://www.newsbreak.com/news/OPTwrPxN/black-woman-sues-utah-police-officer-for-unlawful-arrest>

SALT LAKE CITY (AP) — A Black woman who says she was unlawfully arrested and charged with driving under the influence despite passing numerous sobriety tests in 2018 is suing a Utah police officer for violating her constitutional rights.

Donna Miller, 60, said there was no way she could have been drinking because she is diabetic and alleged that Murray City Officer Jarom Allred targeted her because of her race in the August 2018 incident, according to a lawsuit filed by the American Civil Liberties Union of Utah on Monday. Miller said she has suffered from anxiety and loss of sleep since her arrest and remains fearful of the police. “This has caused me so much stress and embarrassment and humiliation in my life,” Miller said Tuesday. “I wouldn’t wish this on my worst enemy because it was such a horrific experience.” The lawsuit names Allred and the City of Murray as defendants. The Murray Police Department referred questions about the lawsuit to city attorney Heather White, who said the city denies any claims that Allred’s actions were driven by racial profiling.

Allred had reason to believe Miller was impaired because her driving pattern was “consistent with being under the influence,” and she failed several of the field sobriety tests, White said.

No listed phone number could be found for Allred. It’s unknown if he has an attorney. He is still employed with the Murray police department, White said.

The nearly two-year wait to file a lawsuit was partially because Miller and the ACLU of Utah had previously entered into an unsuccessful mediation with the City of Murray. Miller said it didn’t have anything to do with nationwide protests over alleged racism by police.

Miller said she was leaving a Murray mall when Allred stopped her for not having car insurance on file, according to the lawsuit. She showed her proof of insurance, and Allred then allegedly accused her of driving under the influence.

After Miller passed four sobriety tests, including two breathalyzer exams that showed she had a 0.0 alcohol level, Allred detained her in the back of his police car, the lawsuit said. He then searched her car and personal belongings before taking her to the Murray Police Department, where she took at least 10 more sobriety tests that all came back negative, according to the lawsuit.

Miller’s license was suspended and her car was impounded, in addition to the charges filed against her. Miller retained legal counsel who helped drop the charges against her a few months after her arrest. She was later able to get a refund the fines she was charged to reinstate her license.

“The fact that people of color like Ms. Miller are subjected to more of these humiliating and costly violations of their civil rights than other people is not a mistake — it’s a sign that police agencies need to do more to root out racial bias from their officers and their policies,” said Jason Groth, one of Miller’s attorneys with the ACLU of Utah.

Sophia Eppolito is a corps member for the Associated Press/Report for America Statehouse News Initiative. Report for America is a nonprofit national service program that places journalists in local newsrooms to report on undercovered issues.