

State settles with Salt Lake family in lawsuit over unlawful search, excessive force

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SALT LAKE CITY (KUTV) — The state of Utah will pay a Salt Lake City family \$137,500 as part of a settlement in a lawsuit that alleged the family's home was searched unlawfully by Adult Probation and Parole officers.

The ACLU of Utah, which represented the Yañez family in the lawsuit, announced the settlement in a joint statement with the Utah Department of Corrections on Wednesday.



As part of the settlement, AP&P officers will undergo specific training to address "entry into homes and the Fourth Amendment, when to contact federal authorities about people in homes, racial profiling, and precautions to consider when minors are present."

The Yañez family home was raided in August of 2018 by AP&P officers seeking to arrest a parole fugitive, though the ACLU alleged the suspect they sought no longer lived at the address. ACLU lawyers stated this claim was substantiated by AP&P's own records.

Video of AP&P Raid on Yañez Family Home in Salt Lake City (ACLU Utah)

Munir Yañez attempted to deny the officers entry, asking them to come back with a warrant granting them permission to enter the home in their search for his adult son Jose Yañez.

The ACLU also alleged officers used excessive force in detaining six members of the Yañez family in order to search the home, including deploying a Taser on then-57-year-old Munir Yañez, tackling a 53-year-old woman, and pointing an automatic weapon at the head of a 17-year-old.

Video of Munir Yanez being Tased by AP&P Officers During Raid on Family Home (ACLU Utah)

DOC director Mike Haddon, who was named in the lawsuit, stated the department stood by the officers who acted that day but is committed to improving training.

"While we stand by our officers in this case, our Department continually aspires to better our operations and processes," Haddon stated in part. "We stand committed to further enhancing our in-service training on the subjects outlined in the Marquez Yañez settlement."

In a prepared statement, Yañez said he was pleased with the settlement and hoped the additional training for officers would have a positive impact on the community. He stated in part:

Our main goals in this action have always been to make a strong stand for our family and to make positive impact for our community in the future. We think this agreement meets both of these goals." As part of the settlement, the state did not admit wrongdoing on the part of its officers. ACLU Utah legal director John Mejía confirmed through a spokesperson that this is routine "in a settlement like this."