Man sues police who mistook stroke for drunkenness

Associated Press

BOSTON — Richard Kelley was relieved to see a police cruiser pulling up behind him. A stroke had just numbed his left side, and he was struggling to control his car. He expected the officers to help.

Instead, he claims, the police dragged him out of his car, pronounced him drunk, ignored his cries for help and held him at the state police barracks for seven hours.

He says the delay left him paralyzed and in need of constant medical care.

Kelley, 51, is seeking $30 million from state police. In a lawsuit filed in federal court last month, he claims the officers recklessly violated his constitutional rights.

James G. Gilbert, an attorney for the state, said Tuesday that the troopers “acted and reacted appropriately and followed all the procedures.”

In 1994, Kelley was returning to his home in Plymouth from an auction. In Braintree, he lost control of his car and hit a guardrail.

According to court papers, Troopers Michael Downing and James Arroyo, with the help of two unnamed Weymouth police officers, yanked Kelley from his car and handcuffed him. Kelley “was unable to exit the vehicle on his own,” Downing wrote in his police report.

When Kelley fell to the ground, the four officers carried him to the cruiser, then took him to the barracks in Norwell.

“I told them, ‘I need help! I need help! My left side doesn’t work,’” Kelley told The Enterprise of Brockton.

At the barracks, Kelley repeatedly fell off a bench, and the desk sergeant and other officers taunted him, he alleges.

Eventually, he was taken to South Shore Hospital, where doctors determined that he had suffered a stroke. A test found no alcohol or drugs in his bloodstream, according to the hospital report filed with the court.