



## City of Buena Park Settles Case of Man Allegedly Beaten By Police Officers

*Brian Love alleged in his lawsuit filed in U.S. District Court-Santa Ana Case No.:SACV10-1897 DOC that he was beaten by Buena Park police officers during Haunt Night at Knotts Berry Farm.*

Santa Ana, CA ([PRWEB](#)) October 28, 2011 -- The City of Buena Park has settled a lawsuit (Love v. City of Buena Park Case No.: SACV10-1897 DOC) alleging excessive force by three of its police officers at Knotts Berry Farm's Halloween Haunt Night 2010. The complaint alleged that the police officers filed false police reports and caused the District Attorney's Office to file charges against Mr. Love. Mr. Love was tried for resisting arrest and assault on the police officers. Mr. Love was acquitted on the criminal charges after a jury trial.

The terms of the settlement are "confidential" said [Alex Galindo](#), of [Curd, Galindo & Smith, LLP](#), attorneys for Mr. Love. The amount of the settlement can not be disclosed as the City of Buena Park has required that the terms of the settlement remain confidential. Mr. Galindo stated, "My client and I are glad that the case resolved as now Mr. Love can go on with his life. We believe the settlement is a fair amount considering all of the circumstances, had we gone to trial perhaps we would have recovered more but the settlement was a good result for all involved," said Mr. Galindo,

The City of Buena Park was represented by Steven Sherman who could not be reached for comment.

The City of Buena Park never admitted liability and denies that its police officers violated police policy, but rather acted properly and did not violate Mr. Love's civil rights.

Mr. Love was originally arrested by Buena Park Police Officers on October 23, 2009. The night before, on October 22, 2009, Brian Lamar Love and his girlfriend (Derica Johnson) attended the Halloween Haunt at Knott's Berry Farm to celebrate Halloween. They patiently waited for an hour and a half in line for the Ghost Rider until Mr. Love needed to use the restroom. Mr. Love left to use the restroom and Derica Johnson remained in line to save their spot. When Mr. Love returned to the line, the couple was approached by Knott's Berry Farm's security who accused both of them of cutting in line. Mr. Love and his girlfriend knew they did not cut in line and other patrons in line confirmed they had been waiting in line. However, Knott's Berry Farm security still requested that they be "kicked out of the park" and no refund for the purchase price of the tickets were offered nor were they offered "free passes" to come back another day. Knott's Berry Farm security summoned the Buena Park Police Department to escort the young couple off the Park premises.

Buena Park Police Officers arrived and spoke with the couple. Sgt Lovchik was able to confirm with other patrons in the Ghost Rider Roller Line that the couple did not "line jump", but informed them that it was out of his hands as Knott's Berry Farm security still wanted them to be "kicked out" of the park. Derica Johnson was upset and furious for being kicked out of the park based on false allegations after they had paid good money like everyone else and had waited 1 ½ hours in line. She started to scream and yell at the Police Officers and security that, "this is not fair, not right, we didn't cut in line, we paid good money like everyone else and we waited in line for 1 ½ hours."

Mr. Love was humiliated and embarrassed but he remained calm. Mr. Love told Derica several times to stop yelling and be quiet and he tried to calm her down. The couple was then escorted out of the park. Mr. Love was

constantly pushed by Sgt Lovchik and other Officers from behind to guide him on his way. Mr. Love responded: “don’t push me” or “please don’t touch me”. He never got upset at Sgt Lovchik, at any of the Police Officers or Knott’s Berry Farm Security, and he showed them respect by remaining calm, not yelling or screaming, and did not use any profanity. They exited the park, crossed “Grand Avenue” and were approaching the pedestrian tunnel that leads into the parking lot. At that very moment, there were at least eight (8) Buena Park uniform Police Officers walking with and around Mr. Love, including Lt. HOLLIDAY, the Incident Commander. There were two (2) motorcycle officers on Grand Avenue observing, and approximately eight (8) Knott’s Berry Farm security officers walking with the Buena Park Police Officers. Derica had started to walk into the pedestrian tunnel to go to their car. With approximately eleven (11) Police Officers around and eight (8) security officers, Mr. Love turned around to demonstrate that he had “no hard feelings” for Sgt. Lovchik. Mr. Love reached out his right hand to shake hands with Sgt. Lovchik and said “when I came, we showed respect right?” Mr. Love shook Sgt. Lovchik’s hand and gave him a “manly hug” by pulling him in close and giving Sgt. Lovchik two pats on the back with his other (left) hand while at the same time saying “all right peace”. Sgt. Lovchik pushed Mr. Love away and Mr. Love let go and started to walk towards the pedestrian tunnel. Some of the surrounding Police Officers on foot started to laugh about the “manly hug”.

Mr. Love alleged in his federal complaint that OFFICER R. PLUMLEE while on a mounted police horse immediately rode up with his three (3) foot wooden saber in his right hand; he maneuvered his horse to pin Mr. Love against the chain link fence and then struck Mr. Love with the wooden saber at least two times on Mr. Love’s left shoulder and back. Mr. Love alleged that he immediately put his hands over his head to protect himself from the repeated blows of the wooden saber. The complaint further alleged that OFFICER PLUMLEE’s horse lost its footing and fell to the ground. After the horse fell, the complaint goes on to state that other Buena Park officers, including OFFICER T. REYES, allegedly jumped on Mr. Love and tackled Mr. Love from behind down onto the ground with one officer after another repeatedly beating Mr. Love. According to the complaint OFFICER T. REYES had his knee on the back of Mr. Love’s neck, and another officer was applying pressure on his back to keep him pinned face down on the cold and wet ground. The complaint also stated that while the assault and battery was going on, OFFICER S. LEPE took out his taser and tased Mr. Love approximately 4 –5 times at intervals of 5 seconds each. The complaint also alleged that OFFICER S. LEPE was ordered by OFFICER T. REYES to continue tasing Mr. Love and then OFFICER T. REYES grabbed Mr. Love’s testicles and squeezed them, wherein Mr. Love screamed out “Come on man, stop grabbing my nuts”. After Mr. Love was beaten and severely tased, the police officers handcuffed him and placed him under arrest for Assault on the Peace Officer, Resisting Arrest or Performance of a Peace Officer and Harassing/Hindering a Police Animal.

The criminal trial record showed that the police officers admitted that the entire event was captured on a police audio recording device. Court records also showed that Mr. Love argued that the named police officers failed to turn over to the prosecution and Mr. Love's criminal defense team ([Richard Wynn](#), Esq. and Alex Galindo, Esq.) the fact that they allegedly engaged in the use of excessive force and falsified reports to justify said use of excessive force on October 22, 2009.

Mr. Love, alleged in his complaint damages for assault, battery, outrage, for violations of his civil rights to be free from unreasonable arrest and seizure, and to be free from violations of his right to due process of law. Mr. Love also sought damages from the city for its alleged failure to train, supervise and discipline its officers.

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