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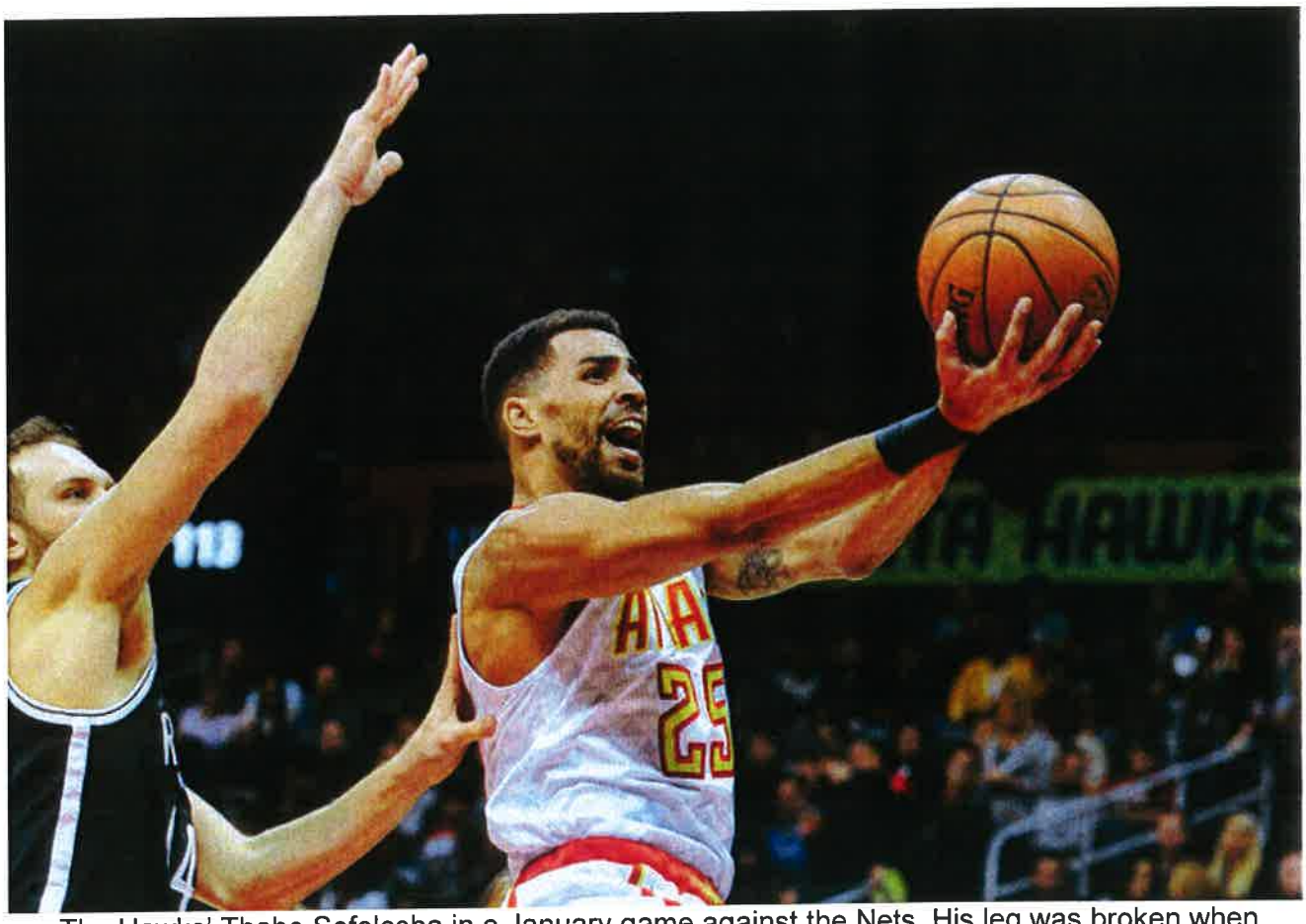
By JAMES C. McKINLEY Jr. APRIL 6, 2016

Hawks' Thabo Sefolosha Files Suit Against New York Police Officers



The Hawks' Thabo Sefolosha in a January game against the Nets. His leg was broken when officers knocked him to the ground and took him into custody last April. Credit John Amis/AP

Atlanta Hawks forward Thabo Sefolosha filed a federal lawsuit Monday against five New York police officers who arrested him outside a Manhattan nightclub last year, accusing them of false arrest and using excessive force.

Sefolosha's right fibula was broken when the officers knocked him to the ground and took him into custody early April 8 after he left the 1 Oak nightclub in Chelsea. He missed the 2015 playoffs, underwent surgery to repair his leg and torn ankle ligaments, and needed months of rehabilitation.

The officers were trying to clear the block after another basketball player, Chris Copeland of the Indiana Pacers, was stabbed in an unrelated dispute. The officers claimed that Sefolosha and his teammate, Pero Antic, were slow to follow orders to move along. Then, the police said in a criminal complaint, Sefolosha charged at an officer whose back was turned.

Sefolosha, 31, was charged with resisting arrest, obstructing governmental administration and disorderly conduct. Saying he wanted to clear his name, he rejected a lenient plea deal and insisted on going to trial. In October, a jury acquitted him of all charges after only 45 minutes of deliberation.

In the civil suit, lawyers for Sefolosha, a Swiss citizen of African heritage, said the officers had arrested him arbitrarily and violated his civil rights, in part because of his race. The complaint also accused the officers of filing a false report and lying on the witness stand to justify their actions.

Filed in federal court in Manhattan, the suit contended that Sefolosha's injuries had shortened his basketball career, caused him to lose endorsements and diminished his value as a player. He "is now considered 'damaged goods' in the sports world," the complaint said.

Sefolosha, a 10-year veteran in the N.B.A., is in the second season of a three-year, $12 million contract and will become a free agent next year. Despite struggling with ankle pain, he has appeared in 71 games this season for the Hawks, averaging 6.6 points, 4.5 rebounds, and 1.4 assists.

Nick Paolucci, a spokesman for the city's Law Department, said city lawyers had yet to read the complaint. "All the allegations in the complaint will be reviewed once we are served," he said.

This week, Antic, who now plays for a team in Turkey, also filed a suit against the officers. He was arrested after touching the arm of an officer who was subduing Sefolosha. Those charges were later dropped.

During the criminal trial, both men testified that they had left the club and were following the police's orders to clear 17th Street. Sefolosha acknowledged getting into an ugly exchange of words with one of the officers, calling him "a midget."

But Sefolosha denied charging at one of the officers, as one of the police witnesses, Richard Caster, had testified. Sefolosha said he was about to get into a livery cab on 10th Avenue and had stopped to hand a panhandler a $20 bill when the officers knocked him down.

In a separate inquiry, the city's Civilian Complaint Review Board found in November that the officers had no legitimate reason to arrest Sefolosha. But the board also ruled that the officers had not used excessive force in taking him to the ground.

In his complaint, Sefolosha accused the police of fabricating a story in the criminal complaint to justify the arrest, claiming he "ran in an aggressive manner" toward an officer. "After they broke the guy's leg, then they tried to cover it up," Sefolosha's lawyer, David Jaroslawicz, said.

Stephen P. Davis, a spokesman for the Police Department, said the department would "review the allegations and defend accordingly." Lawyers for the Patrolmen's Benevolent Association did not return telephone messages seeking comment.

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