

Facebook Firearms to Fourth Amendment Force – Eighth Circuit’s Ruling in Davenport v. City of Little Rock

Description

The United States Court of Appeals for the Eighth Circuit recently released a decision in *Davenport v. City of Little Rock*, 142 F.4th 1036 (8th Cir. 2025) a case that considers the important balance between effective policing tactics inherent to high-risk raids and the protection of citizens Fourth Amendment rights against unreasonable searches, forced entries, and excessive force.

Factual Background

On September 1, 2016, law enforcement officers conducted narcotics raids at a home & shop in Pulaski County, Arkansas. Officers investigating the drug activities came to suspect that contraband would be found at a home & shop located on King Road. After obtaining no-knock search warrants, officers executed them on the morning of September 1. The officers divided into two teams which allowed them to search the home & shop at the same time. At the time of the searches, Susan and Chris Davenport were inside the home; while Floyd and Lloyd St. Clair were inside the shop. At the home, officers deployed distraction devices upon entry. After a search, they recovered a small amount of marijuana from the home. At the shop, Officer Thomas was the first to enter, and after scanning the room, he deployed a distraction device. He then saw Floyd sitting at a desk and ordered him to put his hands up; Floyd complied. Officer Thomas moved further into the shop and saw a man holding a shotgun in a separate room. Believing that the man, Lloyd, was pointing the gun at him, Thomas shot Lloyd several times. A medic treated Lloyd’s injuries while the officers completed the search, and Lloyd was later taken to a hospital. The officers ultimately discovered substantial amounts of drugs and drug paraphernalia at the shop.

In the aftermath, charges were brought against Lloyd, Floyd, and Chris based on the recovered evidence. Lloyd and Floyd plead guilty to various charges, and both were sentenced to probation and a fine. Lloyd and other occupants of the home & shop filed a lawsuit under 42 U.S.C. § 1983, alleging violations of their Fourth Amendment rights by the officers and the City of Little Rock. The suit alleged the following violations; an unlawful search claim against Little Rock Police Department (LRPD) narcotics officers; an unlawful entry claim against LRPD SWAT officers; an excessive force claims against Officer Thomas; and a Monell claim against the City of Little Rock and then-Police Chief of the LRPD. When the case reached the district court, the court granted judgment in favor of the defendants. When the plaintiffs appealed the decision to the Eighth Circuit, advancing three main questions: First, whether both no-knock warrants were lawfully issued and executed; Second, whether the unannounced entries were justified by exigent circumstances; and third, whether the use of deadly force against Lloyd St. Clair was objectively reasonable.

United States Court of Appeals for the Eighth Circuit

On appeal to the Eighth Circuit, the Court affirmed the district court’s grant of summary judgment in favor of the officers and the City. First, in addressing the validity of the search warrants, the Court found that the record included two valid search warrants signed by a state judge and determined that there

was no genuine dispute of material fact regarding their existence or the timing of either warrant. The Court acknowledged that the Detectives sworn affidavits, which were filed on separate dates for the home & shop, recited controlled narcotics purchases, surveillance observations, and reports of social-media videos depicting a family member firing weapons on King Road. Both affidavits had been presented and approved by a state judge before September 1, 2016, and the signed warrants included file stamps predating the raids. The Court found no evidence that either warrant was fabricated after execution, and nothing in the record suggested that the judge had not personally authorized each warrant.

The Court then turned to the validity of the no-knock entry and determined that the officers had reasonable suspicion to justify the no-knock entries based on videos of Amy St. Clair shooting firearms, which were seen by Officer Kalmer before the raids. Citing *Richards v. Wisconsin*, 520 U.S. 385, 394 (1997), in order to justify a “no-knock” entry, the police must have a reasonable suspicion that knocking and announcing their presence, under the circumstances, would be dangerous or futile, or that it would inhibit the effective investigation of the crime. As applied to the facts here, the detective had informed the SWAT team in a pre-raid briefing about the Facebook videos depicting gunfire at the property, and based on this, that those videos supported a reasonable inference that announcing might provoke armed resistance or allow suspects to destroy evidence. Because the officers, in viewing the totality of the circumstances, reasonably suspected that announcing their presence would compromise officer safety or evidence integrity, the Eighth Circuit held that the no-knock entries were justified.

The Court then addressed excessive force claim brought by Lloyd St. Clair against Sergeant Thomas. The Court held that the use of deadly force by Officer Thomas was reasonable, as Lloyd admitted to pointing a gun at Thomas. Applying the “objective reasonableness” framework of *Graham v. Connor*, the Court examined whether a reasonable officer in Thomas’s position would have believed deadly force was necessary to address an imminent threat. The Eighth Circuit found that Thomas’s uncontradicted testimony; that he saw Lloyd shouldering a shotgun and aimed directly at the entry team, was sufficient to establish an objectively reasonable perception of danger. Lloyd’s own sworn admission that he had pointed the shotgun supported Thomas’s account. The Court further noted that even if the officers could have been mistaken, their split-second decision under life-threatening circumstances was objectively reasonable. Accordingly, the Eighth Circuit concluded that Thomas did not violate the Fourth Amendment by discharging his weapon. Finally, the Court affirmed the district court’s grant of summary judgment on the municipal liability claim, as there was no underlying constitutional violation by the city employees. Without proof of a policy, practice, or custom that caused a constitutional injury, the Monell claim could not survive. Because the Eighth Circuit found no underlying constitutional violations by any individual officer; no unlawful search nor entry, and no excessive force, the Court held that there could be no § 1983 liability against the City.

Davenport v. City of Little Rock, 142 F.4th 1036 (8th Cir. 2025)

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