

Crime

'You Could Never Anticipate This Happening in the United States of America'

Nov. 5, 2013 3:19pm [Jason Howerton](#)**63.8K**

Shares

Share This

Tweet This

Email this story to a friend

Your Name	Your Email Address
Friend's Name	Friend's Email Address
Your Message	
<input type="button" value="Send Email"/>	

What began as a simple traffic stop ended in a humiliating and nightmarish ordeal for a New Mexico man. It won't come as a surprise to most people why the man has now filed a federal civil rights lawsuit.

The incident began on Jan. 2 as David Eckert was leaving the local Walmart in Deming, N.M. He reportedly failed to make a complete stop at a stop sign, prompting police to pull him over.

The officers asked him to step out of the vehicle and claim the man appeared to be clenching his buttocks, Eckert's attorney, Shannon Kennedy, told TheBlaze. It is unclear why police removed him from the vehicle in the first place. However, because the cops believed he was clenching his buttocks, they took it as reason to suspect him of hiding narcotics in his anal cavity.



Shutterstock

Police officers detained Eckert after a narcotics sniffing dog allegedly issued a "hit" on Eckert's car seat. Meanwhile, they sought a search warrant for an anal cavity search.

"What is so strange about this case is they held him with no evidence," Kennedy said. "They seized him to collect evidence, to go on a fishing expedition on someone's body."

Upon securing the warrant, Deming police officers took the man to an emergency room, but hit their first snag when a doctor refused to perform the anal cavity search because he believed it to be "unethical."

So police tried again at the Gila Regional Medical Center in Silver City, N.M., where doctors agreed to the search.

KOB-TV outlined the disturbing series of events that occurred next, details confirmed by medical records and official documents provided to TheBlaze by Eckert's attorney:

- 1. Eckert's abdominal area was X-rayed; no narcotics were found.*
- 2. Doctors then performed an exam of Eckert's anus with their fingers; no narcotics were found.*
- 3. Doctors performed a second exam of Eckert's anus with their fingers; no narcotics were found.*
- 4. Doctors penetrated Eckert's anus to insert an enema. Eckert was forced to defecate in front of doctors and police officers. Eckert watched as doctors searched his stool. No narcotics were found.*
- 5. Doctors penetrated Eckert's anus to insert an enema a second time. Eckert was forced to defecate in front of doctors and police officers. Eckert watched as doctors searched his stool. No narcotics were found.*
- 6. Doctors penetrated Eckert's anus to insert an enema a third time. Eckert was forced to defecate in front of doctors and police officers. Eckert watched as doctors searched his stool. No narcotics were found.*
- 7. Doctors then X-rayed Eckert again; no narcotics were found.*
- 8. Doctors prepared Eckert for surgery, sedated him, and then performed a colonoscopy where a scope with a camera was inserted into Eckert's anus, rectum, colon and large intestines. No narcotics were found.*

Kennedy told TheBlaze these are undisputed facts from medical records, not claims made by her client.

As he was being detained and probed, Kennedy said Eckert never gave doctors his consent to perform the procedures and protested his treatment, which all arose from the simple traffic violation.

The entire ordeal lasted for roughly 12 hours.

TheBlaze has reached out to the Deming Police Department. This story will be updated should the department respond.

"It's a nightmare, its unfathomable. You could never anticipate this happening in the United States of America," Kennedy said, adding that in 18 years of practicing civil rights law, "this may be the most egregious case I have ever seen with law enforcement abuse."

Kennedy also said the search warrant — in which there were legal concerns anyway — was carried out illegally because it was only valid in Luna County, N.M. The anal cavity search and other procedures were performed at the Gila Regional Medical Center, in Grant County.

Further, she said the search warrant was only good through 10 p.m., but medical records show the preparation for the colonoscopy started at 1 a.m. the next morning. In theory, even if the search warrant were

completely legal and compliant, it was no longer valid.

Eckert is suing the city of Deming and Deming police officers Bobby Orosco, Robert Chavez and officer Hernandez. He is also suing Hidalgo County deputies David Arredondo, Robert Rodriguez and Patrick Green; Deputy District Attorney Daniel Dougherty and the Gila Regional Medical Center, including Robert Wilcox, M.D. and Okay Odocha, M.D.

Take a look at Eckert's official lawsuit and other related documents provided to TheBlaze:

[David Eckert lawsuit, documents](#)

[Letter to New Mexico Medical Review Commission](#)

Editor's note: According to the affidavit for the search warrant (included above), Eckert was allegedly "known to insert drugs into his anal cavity and had been caught in Hidalgo County with drugs in his anal cavity." This significant detail was discovered during TheBlaze's follow-up investigating on the incident.

Featured, carousel image via Shutterstock.

This story has been updated.

TheBlaze writer Jason Howerton discussed this post on Wednesday's BlazeCast:

—

Other Must-Read Stories



[After Guest Claims There's an Epidemic of Officers Killing Black People, Bill O'Reilly Pulls Out Some Damaging Statistics](#)



[Look Closely at This Security Footage. See How a Figure Cloaked in Islamic Garb Reacts After Allegedly Murdering an American Teacher.](#)



[Watch How Network Reporter Acts as 10-Year-Old Handles Her Favorite Guns — Then Wait for the Girl's Response](#)

63.8K

Shares

Share This

Tweet This