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In the midst of a custody disputed, this mom says three police officers came to get her daughter She fought back. WHAT WOULD YOU DO?

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Actions ▼

A knock on the door in the middle of the night, and two Sagamore Hills Township police officers stood before Somier McLaughlin. They wanted to talk about her refusal to let her ex-husband a Summit County sheriff's lieutenant leave the country with their daughter.

McLaughlin had set conditions for the trip: The only way the 8-year-old could go to the Dominican Republic for her father's wedding was if both mother and daughter had passports. The girl now had hers; McLaughlin, who wanted a way to reach her child in case of emergency, did not.

So McLaughlin held her ground in the face of authority as a third officer arrived. She cursed the officers and ordered them to go. Leave they did with McLaughlin handcuffed in the back of a police car.

The girl, meanwhile, departed with her father to catch a scheduled flight.

McLaughlin has told investigators that she believes the officers arrived that morning only to provoke and arrest her so Sheriff's Lt. Doug Smith could take the girl. Her lawyer, John F. Corrigan, called the June 8 incident a lawless abuse of power by police.

A Summit County grand jury, however, thought McLaughlin's actions that morning warranted an indictment for assaulting a police officer, resisting arrest and disorderly conduct. Police say she repeatedly swore at them and kicked one officer in the groin after being handcuffed.

McLaughlin pleaded not guilty to the charges Wednesday in Summit County Common Pleas Court.

Corrigan said McLaughlin had every right to defend herself and her daughter. "She was dealing with three thugs abducting her kid," he said.

"The Sagamore Hills police had no business violating the peace and dignity of my client's home at 1 in the morning," Corrigan said. "It is not illegal to eject a trespasser from your home by using profanity, by using force if need be and by using deadly force if need be."

McLaughlin filed a complaint with the township Police Department about the officers' conduct. Sagamore Hills Police Chief David Hayes said an outside agency the Wayne County Sheriff's Office is investigating.

Hayes said he's withholding his opinion until the investigation is complete. But he said a Cuyahoga Falls Municipal Court judge did render an opinion, finding probable cause that McLaughlin had committed a crime and handing the case to the grand jury, which found enough evidence for an indictment.

McLaughlin and Smith divorced five years ago. She has custody of their daughter.

Smith wanted to take the girl with him June 8 to the Dominican Republic for his wedding to another Summit deputy. The passports weren't ready the day before the planned trip. Then, by Smith's account, he got the child's documents at the last minute and called ahead to get the Sagamore Hills police to talk to McLaughlin.

His ex-wife's passport did not come through, but Smith said McLaughlin added that condition only a week before the trip.

According to the police officers' testimony in Municipal Court, they did not have a court order, a warrant or any document from Domestic Relations Court mandating that Smith take the child when they arrived that morning. McLaughlin told them to leave.

The police refused, Corrigan said. McLaughlin then became angry and yelled and swore at the

officers because she was trying to keep them from illegally taking her daughter, Corrigan said.

Police Sgt. Mark Podgorski, the senior officer at the scene, testified that he was leaving when McLaughlin continued to shout at him. He warned her to stop, and when she continued, she was handcuffed and taken to a police car. While being led away, she mule-kicked Podgorski in the groin. With her mother arrested, the girl left with her father for the out-of- country trip.

The Summit Sheriff's Office investigated Smith's role and concluded that he broke no laws and did not try to use his position to influence the township officers. Corrigan said he has no problem with the finding because the issue is with the township police. Corrigan said the grand jury did not get the whole story and that McLaughlin is owed an apology.

"It's a parent's decision where her child should go, not the police," he said.

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THOMAS ONDREY THE PLAIN DEALER Somier McLaughlin says Sagamore Hills Township police arrested her June 8 to clear the way for her ex-husband, a Summit County sheriff's lieutenant, to take their daughter to his wedding in the Dominican Republic. McLaughlin pleaded not guilty Wednesday to charges of assaulting a police officer, resisting arrest and disorderly conduct. Smith

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