

# *The Post and Courier*

Charleston, South Carolina

Feb 5 2015 5:57 pm

## **Lawsuits allege negligence by guards in two Lowcountry club shootings**

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A Wando man alleges that a trio of trigger-happy security guards acted outside all bounds of decency when they blasted 40 rounds at him during a confrontation outside a Dorchester County nightclub last year, peppering his body with 11 bullets, according to a lawsuit filed this week.

The complaint filed by 25-year-old Akeem Asby against Liberty Security Services and Rehab Bar and Grill is one of two recent lawsuits that target the actions of security guards in connection with high-profile shootings at Lowcountry nightclubs. The other suit alleges negligence by security personnel in a 2013 incident in which a woman was killed by a stray bullet fired outside Summerville's Moonshine Saloon.

Charleston attorneys Lionel Lofton and William Waring represent both plaintiffs. The suits seek unspecified damages.

Managers at Rehab and Moonshine Saloon declined to comment Thursday, saying they had not seen the lawsuits.

But Ardrow Vause Jr., owner of Warrentonville-based Liberty Security, said his guards acted by the book in the incident involving Asby, after he allegedly turned on them with a gun in a threatening manner.

"It's kind of like, if you lean into a right hook, you're gonna get hit," he said.

The lawsuits come at a time when violent encounters involving security guards have raised fresh questions here and nationally about the adequacy of screening, training and oversight for an industry that has become a pervasive presence in an age of global unease over terrorism, mass shootings and other threats.

Across the United States, a haphazard system of lax laws, minimal oversight and almost no accountability puts guns in the hands of guards who endanger public safety, according to a Center for Investigative Reporting and CNN investigation released last year.

Security guards have been involved in at least 18 shootings across South Carolina during the past decade, killing at least four people and wounding six others, according to a Post and Courier

review of SLED documents, police reports and media accounts. Six guards also have been killed and two others have been wounded in that time span, the records show.

Twice in the past two years, guards in the Upstate have faced criminal charges in connection with on-duty shootings.

No criminal charges were filed against security workers involved in the incidents that prompted the recent lawsuits. And Vause, of Liberty Security, said he feels confident the law is on his company's side in the episode at Rehab.

All parties agree that the incident unfolded after gunshots sounded outside the Dorchester Road club shortly before 2 a.m. March 9. But their versions of events differ dramatically from that point on.

Asby's suit states that problems started after another vehicle rear-ended the car he was in while he and a friend were waiting at a stop sign. When he and his friend got out to inspect the damage, the other car pulled around and someone in the back seat opened fire with a gun, the suit states.

Asby grabbed a gun and returned fire, squeezing off one or two rounds at the other car before he heard "verbal commands" coming from behind him, the suit states. He raised his hands and started to turn around, but a security guard shot him the chest, according to the lawsuit.

The suit alleges that the guards — identified as Jonathan Lewis, Alfred Asher and Christopher Begemann — kept shooting after Asby dropped his gun, unleashing "a barrage of bullets" that continued after he fell to the ground, wounding him in the wrist, leg, abdomen and buttocks. They then handcuffed him and offered no medical care until authorities arrived on the scene, the lawsuit states.

Waring said his client is still recovering from the wounds. Among other things, the suit alleges that Liberty Security was negligent in hiring the trio and failed to properly train the guards in the proper use of force. It further alleges that Rehab was negligent in employing the security firm.

"How (the guards) felt like they could go and do what they did is beyond my understanding," Waring said.

But Vause said Asby's account is "not even close" to what happened that night, and the officers did what they had to do to eliminate a very real threat posed by a man who was committing a violent felony. Asby, however, was not charged with any crime, records show.

The guards told investigators they went into action after shots sounded and they found Asby holding a gun. They only fired after he refused their commands to put the gun down, according to a police report.

The guards involved in the other case, at Moonshine Saloon, were not identified in that wrongful-death lawsuit. Waring said attorneys have not determined whether they were directly employed by the club or worked for a private security firm. That suit, filed on behalf of 32-year-old April Infinger's estate, names only the club as a defendant.

Infinger, a married mother, was celebrating a friend's birthday at the club on Dec. 8, 2013, when a bullet fired outside pierced a wall and killed her, authorities have said.

The shooting allegedly occurred after security personnel at the club asked an unruly patron to leave following an argument, the lawsuit states. Once outside, the patron pulled out a gun and fired, with the bullet traveling through the wall and striking Infinger in the back, the suit states.

The suit alleges that the club failed to protect its customers and didn't have adequate security to manage the crowd.