

Man who grabbed police Taser avoids jail time

By BREE FULLER Nov. 4, 2014, 9:18 p.m.

A Nowra man who injured a security guard and grabbed a police Taser while being arrested, has narrowly avoided time behind bars for the violent outburst.



Douglas Sean Stewart was on a drunken night out with friends on December 31, 2013, when he got into an argument with security staff at the Kiama Inn Hotel as they closed up for the night.

The guards struggled with Stewart in the doorway, before he pushed over a green bin in anger and began to throw glass bottles at the front of the hotel.

One of the bottles smashed against the wall, leaving a three-centimetre gash in one guard's back, Port Kembla Local Court heard on Tuesday.

A nearby police patrol was alerted and two officers attempted to arrest Stewart, who began pushing and kicking out at them. He punched one of the officers in the shoulder during the fray, before they were able to handcuff him.

Despite this, he was able to grab hold of one of the officer's holstered Tasers as they loaded him into the back of their car.

Stewart then attempted to bite the other officer, who tried to remove his hand from the Taser, and was capsicum sprayed in the face.

During Stewart's sentencing hearing, the court heard he was a "responsible young man" who volunteered as a case manager at a drug and alcohol rehabilitation facility and helped in a program that took Aboriginal children fishing.

A fitness fanatic, he was "not someone who ordinarily uses drugs or alcohol" and was unlikely to reoffend, the court heard.

Magistrate David Williams acknowledged Stewart had a traumatic upbringing and suffered from an acquired brain injury, which affected the way he behaved on the night.

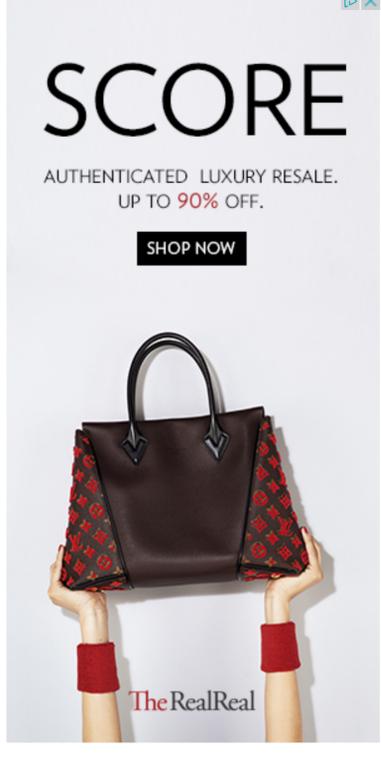
He said it was fortunate for all involved that the officers did not draw their weapons when Stewart grabbed hold of the Taser.

"When you went for the Taser anything could have happened," he said.

"It got out of hand in an astonishing way and it could have gone terribly wrong for not only you, but for the officers involved."

Magistrate Williams sentenced Stewart to perform a total 240 hours' community service for assaulting the police officers.

He was also given a seven-month suspended jail sentence for injuring the security guard.



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