

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

Alexander Clark,

Plaintiff,

vs.

Jean Hotard;

Calvin Taylor Bowden;

Sheriff Jason Ard;

Sydney McCullough;

Johns Doe 1-2;

Chief J. Shannon Womack;

City of Denham Springs,

Defendants.

Case No. 3:22-CV-00326

Judge:

Magistrate Judge:

COMPLAINT

1. Plaintiff Alexander Clark, by and through his undersigned counsel, for his Complaint against Defendants Jean Hotard (“Defendant Hotard”), Calvin Taylor Bowden (“Defendant Bowden”), Sheriff Jason Ard (“Defendant Sheriff Ard”), Sydney McCullough (“Defendant McCullough”), Johns Doe 1-2, Chief J. Shannon Womack (“Defendant Chief Womack”), and the City of Denham Springs (“the City”) alleges as follows:

INTRODUCTION

2. This case seeks to address the unconstitutional racial targeting of the lone predominately Black community in Livingston Parish, Louisiana by the Livingston Parish Sheriff’s Office (“LPSO”), supported by the Denham Springs Police Department (“DSPD”). This community—which is banded by Florida Ave SE to the North, Range Avenue to the

West, Pete’s Highway to the East, and Edgewood Drive to the South (“the Neighborhood”)—has been targeted for overpolicing and traffic enforcement, leading to disproportionate and often pretextual searches, seizures, and excessive force.

3. Law enforcement agencies in Livingston Parish perpetuate the targeted enforcement of the Neighborhood by failing to investigate complaints and refusing to comply with Public Records Law obligations.

4. Due to these regimes, Alexander Clark, a 67-year-old Black man who grew up in the Neighborhood, was subjected to unlawful seizure, prolonged detention, invasive searches, racial profiling, and excessive use of force—among other abuses and violations of the U.S. and Louisiana Constitutions.

5. Mr. Clark has been described as a pillar of his community. He comes from a large family with deep roots in the Neighborhood, where he grew up and attended school. Mr. Clark regularly visits friends and family in the Neighborhood, where he also conducts community events and works in drywall installation.

6. On May 24, 2021, Mr. Clark spent his day in the Neighborhood, putting up drywall in the home of his lifelong friend as a birthday surprise. On his way home, Mr. Clark stopped for gas in the Neighborhood, where LPSO officers—supported by DSPD Officers—detained, harassed, injured, and arrested Mr. Clark, leaving him humiliated and in severe pain from torn ligaments and fractured bones.

7. Unfortunately, the harassment, degradation, and pain Mr. Clark suffered at the hands of LPSO and DSPD is not exceptional. It is but one example of a routine injustice experienced by individuals who live in and visit the predominantly Black Neighborhood. In the Neighborhood, traffic stops for minor—or in some cases nonexistent—infractions often

turn into traumatic events in which police harass, escalate, and at times use aggressive physical force. That these incidents remain common, consistent, and apparent, is both a manifestation of the Neighborhood's history and its relationship with law enforcement.

8. Mr. Clark seeks to hold Defendants accountable, not only for unjustly and unconstitutionally arresting, detaining, and injuring him, but also for the targeted policing of the Neighborhood, his childhood home. He is seeking a declaration that Defendants' conduct violated the U.S. and Louisiana Constitutions, and that the racialized targeting of the Neighborhood resulted from Defendant Sheriff Ard's failure to screen, supervise, investigate, and discipline his officers. Mr. Clark also seeks an order preventing Defendants from illegally targeting residents of and visitors to the Neighborhood based on race, and seeks compensation for his harms, including his physical injuries, anxiety, and lost work.

PARTIES

9. Plaintiff Alexander Clark grew up in the Neighborhood, along with his eleven siblings, and the majority of his family, friends, and co-workers still call the Neighborhood home. Although he no longer lives in the Neighborhood, he returns regularly to see family and friends.

10. Defendant Jean Hotard is an officer with LPSO. At all times relevant to the Complaint, Defendant Hotard was acting in the course and scope of his employment and under color of state law. He is sued in his individual capacity.

11. Defendant Calvin Taylor Bowden is an officer with LPSO. At all times relevant to the Complaint, Defendant Bowden was acting in the course and scope of his employment and under color of state law. He is sued in his individual capacity.

12. Defendant Sheriff Jason Ard is the Sheriff of Livingston Parish. Under the

Louisiana Constitution, he is the chief law enforcement officer of Livingston Parish and the political subdivision of the State responsible for the policies and practices of LPSO. At all times relevant to the Complaint, Defendant Sheriff Ard was acting in the course and scope of his employment and under color of state law. He is sued in his official and individual capacity.

13. Defendant Sydney McCullough is an officer with DSPD. At all times relevant to the Complaint, Defendant McCullough was acting and/or neglecting to act in the course and scope of her employment and under color of state law. She is sued in her individual capacity.

14. Defendant John Doe 1 is an officer with DSPD. At all times relevant to the Complaint, Defendant Doe 1 was acting and/or neglecting to act in the course and scope of his employment and under color of state law. He is sued in his individual capacity.

15. Defendant John Doe 2 is an officer with DSPD. At all times relevant to the Complaint, Defendant Doe 2 was acting and/or neglecting to act in the course and scope of his employment and under color of state law. He is sued in his individual capacity.

16. Defendant Chief of Police J. Shannon Womack is the Chief of Police of DSPD and is appointed by the Mayor. In that role, he oversees the department and is a final policymaker. He is sued in his official and individual capacity.

17. The City of Denham Springs (“the City”) is a municipality of the State of Louisiana and maintains the right and power to sue and be sued. At all relevant times, the City employed the individual DSPD defendants named above. The City is responsible for the hiring, training, supervision, discipline, administration, policies, customs, practices, operations, management, and control of DSPD and its officers. As such, the City is directly responsible for acts complained of herein due to the policies and practices of its police

department.

JURISDICTION AND VENUE

18. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 and 1343 because Plaintiff brings causes of action to vindicate his civil rights under the Constitution and laws of the United States, including 42 U.S.C. §§ 1983, 1985, and 2000d.

19. This Court has supplemental jurisdiction over Plaintiff's Louisiana state-law claims pursuant to 28 U.S.C. § 1367 because they arise out of the same operative facts and are so related to the federal claims that they are part of the same case or controversy.

20. This Court is authorized to grant declaratory and injunctive relief pursuant to 28 U.S.C. §§ 2201, 2202, and Rules 57 and 65 of the Federal Rules of Civil Procedure.

21. This Court is authorized to award attorneys' fees under 42 U.S.C. § 1988(b).

22. Venue is proper in the Middle District of Louisiana pursuant to 28 U.S.C. § 1391(b)(2), because the events giving rise to Plaintiff's causes of action occurred in the Middle District of Louisiana. Venue is also appropriate because Defendants Hotard, Bowden, Sheriff Ard, McCullough, Doe 1-2, and Chief Womack are residents of the Middle District of Louisiana, and the official-capacity defendants are officials of a political subdivision within the Middle District of Louisiana.

FACTUAL ALLEGATIONS

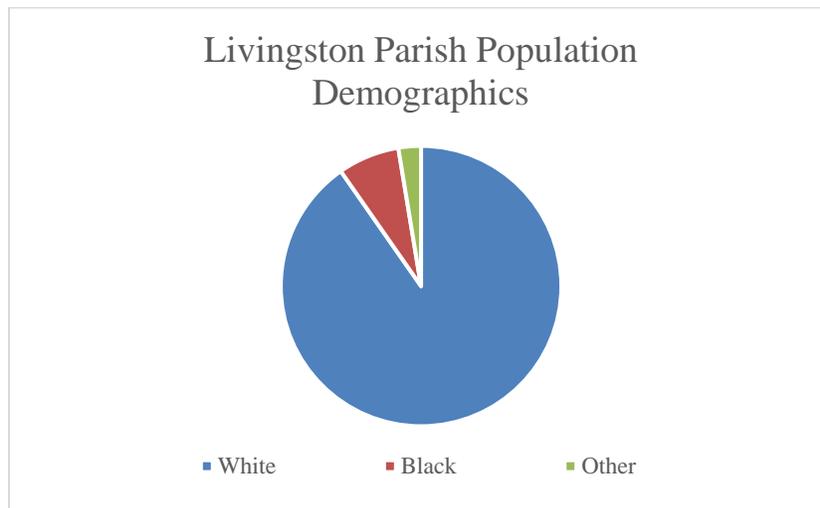
I. The History and Racial Disparities of Livingston Parish Underpin the Racially Motivated Targeting of Its Sole Majority-Black Neighborhood

A. **Livingston’s Demographics Evince an Overwhelmingly White, Hyper-Segregated Parish**

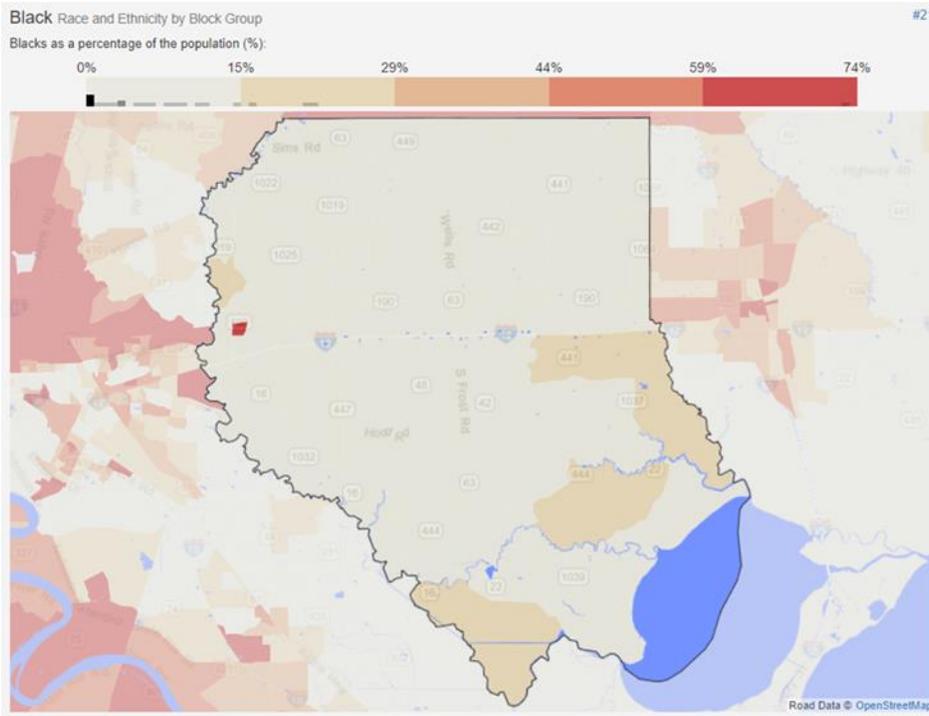
23. On May 24, 2021, Defendants stopped Mr. Clark within the Neighborhood. The Neighborhood is located in the City of Denham Springs. Denham Springs is the largest city in Livingston Parish, Louisiana.

24. Livingston Parish is a suburban and rural parish, immediately east of East Baton Rouge Parish.

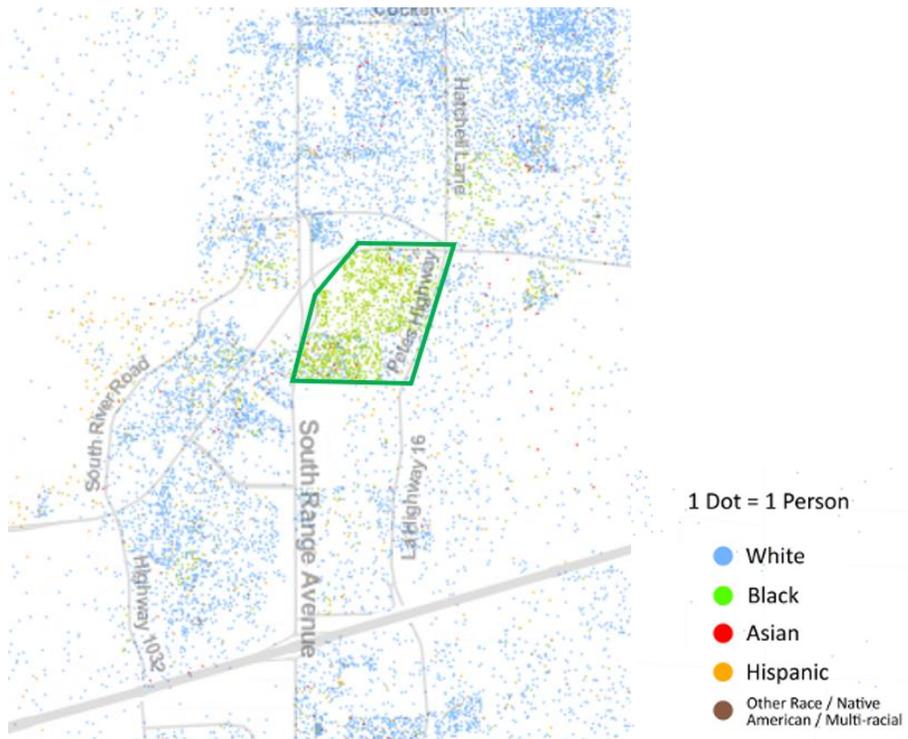
25. According to Census data, more than 90 percent of the population is white, and only 7.1 percent is Black.



26. The Black population of Livingston Parish is not integrated across the Parish. According to Census data, the Black population lives almost entirely in the Neighborhood (pictured below in red).



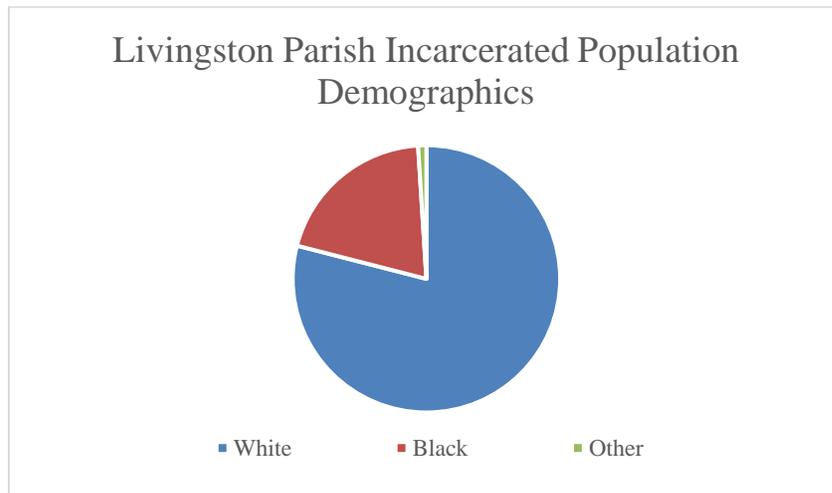
27. Census data also confirms that the predominantly Black Neighborhood is demarcated by Florida Ave SE, Range Avenue, Pete’s Highway, and Edgewood Drive, in Denham Springs.



28. Officers of LPSO and DSPD have historically referred to the Neighborhood as “the Quarter” and “3A.”

29. A Black person in Livingston Parish is over 200% more likely to be arrested for low level, non-violent offenses than if that person were white, according to publicly available datasets, including the FBI Uniform Crime Reporting Program.

30. Despite Livingston Parish’s low percentage of Black residents (7.1 percent), the Livingston Parish Sheriff’s Office Detention Center reports that Black individuals comprise over 20 percent of those incarcerated there. Livingston Parish has one of the highest overrepresentations of Black individuals in its jail proportionate to the population, in the entire state.



31. These demographics reflect the history of Livingston Parish and of the Neighborhood.

32. The Neighborhood is a historically Black neighborhood. The Neighborhood was formerly home to the all-Black West Livingston High School, which served as the center of the community. It attracted Black churches, a community center, a funeral home, and other

establishments reinforcing the Neighborhood as a cultural hub for the Black community across Livingston Parish, even for those who eventually moved away.

33. As a result of a 1969 court order mandating Livingston Parish's schools to be desegregated, all the Black schools in the Parish were closed, including the newly renovated West Livingston High School. This decision forced all the Black students, including Mr. Clark, to attend the all-white Denham Springs High School outside of the Neighborhood.

34. Denham Springs has a history of Ku Klux Klan activity. The Klan hosted rallies in Denham Springs under David Duke as late as 1975, when Mr. Clark was 21 years old. Speakers at these rallies spewed racial slurs and at times advocated outright violence, with David Duke instructing attendees to "Get your guns."

35. Klan presence in Denham Springs continued into the 1980's, as the Southern Knights, a breakaway Klan faction, located its headquarters in the City from 1975 to 1984. According to the FBI, the Southern Knights had a reputation as among the most "violent" and "dangerous" Klan movements. As recently as 2008, Klan activity has been reported in Livingston Parish by newly emerged branches such as the Dixie Rangers.

36. Today, many residents of the Neighborhood are older or elderly individuals.

B. Racial Disparities Are Apparent in Livingston Parish's Governance and Sheriff's Office

37. Historically and today, power is concentrated amongst white politicians in Livingston Parish.

38. All nine members of the Livingston Parish Council are white men.

39. The current Sheriff of Livingston Parish, Defendant Sheriff Ard, is a white man.

The previous 36 sheriffs were also white men.

40. Many local sheriffs have spent time working in East Baton Rouge Parish, a much more diverse parish, which then informed their work. Defendant Sheriff Ard atypically spent no time working in East Baton Rouge Parish.

41. The Livingston Parish Sheriff's Office comprises over 160 deputies and support staff. LPSO deputies are overwhelmingly white.

42. The Livingston Parish Sheriff's Office receives funding from the federal government. For example, LPSO received the Edward Byrne Memorial Justice Assistance Grant ("JAG"), which supports all components of the criminal justice system, including task forces and justice information sharing initiatives. JAG projects address crime by providing services to individuals and/or communities and by improving the effectiveness and efficiency of criminal justice systems, processes, and procedures.

C. Racial Disparities Are Apparent in Denham Spring's Governance and Municipal Police

43. Historically and today, power is concentrated amongst white politicians in Denham Springs.

44. All five members of the Denham Springs City Council are white.

45. Out of the eleven municipalities within Livingston Parish, eight municipalities have their own police departments. Denham Springs is one of them.

46. DSPD has a police force of 25-30 patrol officers. At any given time, DSPD generally employs only one to two officers of color on its force and those officers seldom remain at DSPD for longer than a few years. DSPD seldom employs Black civilian

employees.

47. DSPD has had several recent incidents indicating a non-welcoming environment to personnel of color.

48. One DSPD officer was suspended for using racial slurs.

49. Another DSPD employee drew a red dot, indicative of a sniper laser sight, on the forehead of a Native American officer in a photograph displayed on the walls of DSPD's headquarters.

D. The Livingston Parish Sheriff's Office Has a Policy of Targeting the Predominantly Black Neighborhood

50. Drivers in and around the Neighborhood are stopped by LPSO deputies at a higher rate, issued traffic citations at a higher rate, and arrested at a higher rate than are drivers in similarly situated, predominantly white areas within Denham Springs and Livingston Parish.

51. LPSO officers openly discuss their practices of heavily policing "the Quarter" and "3A."

52. LPSO's disproportionate ticketing and policing of the Neighborhood cannot be explained by chance or neutral factors. The Neighborhood has neither the densest population, busiest traffic, nor the highest incidents of crimes committed within either Denham Springs or Livingston Parish.

53. LPSO officers often conduct unreasonable stops of pedestrians walking around the Neighborhood.

54. LPSO officers will also patrol and surveil the Neighborhood in teams, crawling

up and down the same blocks for hours at a time, giving residents of and visitors to the Neighborhood the constant sense of being watched.

55. LPSO recently posted surveillance cameras in the heart of the Neighborhood, to further monitor and police Black residents and their visitors. Two such cameras are located at quiet, low-activity intersections within the Neighborhood.

56. The disproportionate level of police presence and arrests in the sole predominantly Black community in Livingston Parish reflects either a formal written or oral policy of Defendant Sheriff Ard and/or an ingrained and obvious practice of targeted policing that Defendant Sheriff Ard has not acted to curtail.

57. For example, in a recent Continuing Legal Education (“CLE”) training, Defendant Sheriff Ard explained that classifying an area as “high crime” can support pretextual traffic stops and searches within the area. He detailed that a particular geographic area with a high number of *arrests* (as opposed to convictions) can be classified as “high crime.”

58. Additionally, in some instances, LPSO deputies who observe or purport to observe traffic violations outside of the Neighborhood have been known to wait until the driver enters the Neighborhood to conduct the traffic stop. This practice artificially increases the number of arrests or traffic stops in the Neighborhood—contributing to its designation as “high crime,” and justifying the kind of future pre-textual stops sanctioned by Defendant Sheriff Ard.

59. In this effort, LPSO makes targeted arrests of Black individuals in the Neighborhood. In comparison, white men and women are more often summonsed or otherwise released for similar conduct.

60. The targeting of the Neighborhood for arrests is further incentivized through

LPSO's promotion policies for patrol deputies like Defendants Hotard and Bowden. For example, LPSO bases its decision to promote deputies to competitive positions such as those in the Narcotics Unit on the number of stops and narcotics seized while on patrol.

61. There was an open position in the narcotics unit at both LPSO and DSPD at the time of the incident addressed in this Complaint.

62. LPSO also has a policy, practice, and/or custom of up-charging offenses for Black individuals in the Neighborhood. Black individuals find themselves charged with resisting arrest—or worse—aggravated assault or battery, which are unwarranted based on the circumstances, but nonetheless plague them for the rest of their lives.

E. The Denham Springs Police Department Coordinates with the Livingston Parish Sheriff's Office in Targeting the Predominately Black Neighborhood

63. DSPD officers frequently back up and support LPSO's unlawful targeting of the predominantly Black Neighborhood, including by assisting with stops, seizures, and searches.

64. DSPD and LPSO frequently coordinate their policing efforts and work closely together. For example, when Denham Springs Mayor Gerard Landry appointed Defendant Chief Womack to be the interim police chief, Mayor Landry stated that Defendant Sheriff Ard would be very involved in the city's policing because "the City of Denham Springs has always had a positive relationship with Sheriff Ard." Collaboration between LPSO and DSPD continues today, particularly in the practice of overpolicing the Neighborhood.

65. Although the Neighborhood has neither a particularly high volume of violent or drug crime, DSPD command staff instructs deputies in patrol vehicles to drive through the

Neighborhood at least once a day and instructs narcotics units to patrol the Neighborhood two to three times a day.

66. DSPD command staff frequently tell deputies in patrol cars to sit in the Neighborhood for their entire shift and conduct policing only in that area. Sometimes these orders remain in place for a week at a time.

67. No other area of Denham Springs receives the same level of police presence or activity, despite other areas having similar if not higher population density, traffic, and crime levels. Those other areas are predominately white.

68. Even when criminal activity is reported in other parts of Denham Springs, Livingston Parish, or the region, patrol officers are instructed—by Defendant Chief Womack and/or by supervising DSPD officers—to search “3A” (what the law enforcement agencies in Livingston Parish call the Neighborhood) first for the culprit, stolen item, or other evidence of a crime.

69. DSPD officers are also known to wait on corners of the Neighborhood, wait to see who is in the car, and then proceed to pull them over, with those whom they choose to pull over being disproportionately older Black men.

70. The disproportionate policing of the predominantly Black Neighborhood reflects a formal or informal policy of Defendant Chief Womack. In the alternative, the disproportionate policing results from Defendant Chief Womack’s ratification of pretextual traffic stops in the predominantly Black Neighborhood.

71. This policy and/or ratification of pretextual traffic stops is part of a conspiracy with LPSO to target the Neighborhood because of race.

F. The Livingston Parish Sheriff's Office's Policy of Targeting the Neighborhood Is Motivated by Racial Bias

72. Under the well-established *Arlington Heights* factors, which are used by courts to identify racial motivations, there are several indications that the targeting of the Neighborhood for excessive policing is motivated by race.

73. First, as described above, LPSO's police presence, stops, and arrests in the Neighborhood are disproportionately higher than any other similarly situated neighborhood in Livingston Parish with a predominantly white population.

74. Second, race-neutral rationales do not explain the targeting of the Neighborhood.

75. Data on the rates of crime in Livingston Parish do not point to the Neighborhood as a high crime area. In a cataloguing of Livingston Parish crime incidents, the Neighborhood has an average prevalence of drug crime compared to the rest of the Parish. Nearby areas within Livingston Parish like northern Denham Springs, Walker, and Springfield have a higher prevalence of drug crime. Despite having high levels of opioid addiction, methamphetamine possession, and fentanyl deaths, these other areas do not see the same level of policing as the Neighborhood.

76. The Neighborhood is also not an area where many violent crimes occur. It matches the Livingston Parish average, while the cities of Livingston and Killian have much higher rates of violent crime. Notably, other areas within Livingston Parish have higher rates of domestic violence and sex offenses, but still experience a lower level of policing than the Neighborhood.

77. The prevalence of police presence in the Neighborhood also cannot be explained by a proximity to Interstate 12, a major highway which cuts across Livingston Parish and

draws a significant number of drivers and potential criminal or traffic violations.

78. Under *Arlington Heights*' third factor, the historical background of Livingston Parish supports an interpretation of an invidious purpose of the policy. For example, Livingston Parish remains one of the most segregated in all of Louisiana, with clearly demarcated racial divisions, and allocations of official authority and power to its white residents. The Parish's history of KKK presence and recent activity likewise cannot be ignored.

79. Fourth, LPSO final policymakers continue to depart from normal policing procedures and practices to target this community and allow unconstitutional policing to occur with impunity.

80. The policy and/or practice of waiting to conduct traffic stops until a driver enters the Neighborhood, for example, is not consistent with ordinary policing practices.

81. Furthermore, LPSO conducts a substantial number of arrests in the Neighborhood, despite the fact that the Neighborhood is within a city, Denham Springs, which has its own municipal police department. LPSO's stops in the Neighborhood are disproportionately pretextual traffic stops, and often occur at night.

82. Because the vast majority (75 to 80 percent) of the population of Livingston Parish falls outside the bounds of the eight municipalities with police departments, LPSO has wide jurisdiction and does not generally duplicate resources by policing municipalities with their own police force. The prevalence of LPSO in the Neighborhood is a notable anomaly in operations.

G. The Livingston Parish Sheriff's Office's Policy of Targeting the Neighborhood Evinces Disparate Treatment

83. LPSO's targeting of the Neighborhood is also a policy of disparate treatment.

84. There is a clear disparity between the level of policing exerted over the Neighborhood, which is the sole predominantly Black Neighborhood in Livingston Parish, and similarly situated areas within the Parish, which are predominantly white.

85. The predominantly Black Neighborhood is more heavily policed by LPSO than predominately white neighborhoods in Livingston Parish which are similarly situated in terms of prevalence of drug crime, violent crime, and property crime.

86. The predominantly Black Neighborhood is more heavily policed by LPSO than other predominately white neighborhoods in Livingston Parish which have similar levels of population density and traffic.

87. There are no other factors that explain the disparate treatment other than race.

II. While Driving through the Neighborhood, Mr. Clark Was Stopped, Searched, and Injured by LPSO and DSPD Officers

A. Mr. Clark's Roots in the Neighborhood Run Deep

88. Mr. Clark has been described as a pillar of this community. He and his eleven siblings grew up in the Neighborhood. His mother was a nurse and worked in a restaurant in downtown Denham Springs that he would visit after school. His father was a mill worker and a mortician. Mr. Clark was a student at West Livingston High School when the district integrated, and he was in the first class of Black students to attend the previously all-white Denham Springs High School.

89. Mr. Clark was a student athlete on the football team at Denham Springs High

School, and he led the team to their first state championship final. However, he faced bullying and mistreatment from the white coaches because he led efforts to socially integrate the white and Black athletes. Mr. Clark was also the first Black baseball player at Southeastern Louisiana University, where he led the team to the College World Series. Mr. Clark then spent three years as a defensive back for the Montreal Alouettes Canadian football team, before working as a football coach to give back and mentor young athletes.

90. Mr. Clark is a father to two sons and one daughter, and he is a grandfather to three grandchildren. Mr. Clark is a residential and commercial sheetrocker and painter by trade. Mr. Clark has worked with his hands his entire life and has used his skills to benefit his community.

91. Mr. Clark's family has lived in the Neighborhood for generations. Today, many members of Mr. Clark's family—including siblings, nieces, nephews, grand-nieces, grand-nephews, and cousins—as well as many friends, classmates, and former coworkers and employees live in the Neighborhood. He coached football in the Neighborhood, currently volunteers there, and regularly organizes community events—such as Mother's Day picnics, birthday parties, and fishing lessons for local kids. As a result of these ties, Mr. Clark regularly visits the neighborhood, on average at least two to three times per week.

92. On May 24, 2021, Mr. Clark spent over sixteen hours sheetrocking and painting the home of his longtime friend in the Neighborhood. He was doing the work as a surprise for his friend's birthday.

93. After completing the work, Mr. Clark headed home in his four-door pickup truck around 11:30 p.m. He was covered in white drywall residue from working all day. His truck contained numerous tools and materials related to drywalling and painting.

94. Mr. Clark is the sole registered owner of his truck.

95. Mr. Clark's truck does not have tinted windows.

B. Defendant Hotard Stopped Mr. Clark without Cause

96. Mr. Clark was driving down Martin Luther King Jr. Drive and decided to stop for gas on his way home. He noticed that he was driving behind an LPSO police cruiser.

97. Taking precautions to obey all traffic laws, Mr. Clark turned right onto Eugene Street before turning right onto Florida Ave SE to pull into the Summit Fuel gas station. The LPSO cruiser continued straight at the intersection of Martin Luther King Jr. Drive and Eugene.

98. Mr. Clark used his turn signal before and during each turn.

99. Mr. Clark exited his truck and attempted to pump gas before noticing that the gas station was closed. The canopy of the Summit Fuel gas station stays lit up, even when the station is closed.

100. Mr. Clark then re-entered his truck, started up his engine, and began to pull away, driving about 20 feet toward the gas station's exit.

101. Before Mr. Clark could exit the gas station, the LPSO cruiser pulled up behind him with its siren on and emergency lights flashing. Mr. Clark understood that he was being pulled over by an LPSO officer, and that he was not free to leave.

102. Mr. Clark stopped his truck in response and placed it in park.

103. Defendant Hotard was the officer driving the LPSO cruiser.

C. Defendants Hotard and Bowden Detained Mr. Clark for a Prolonged Period of Time

104. Mr. Clark stepped out of his truck to ask Defendant Hotard what the issue was.

Defendant Hotard approached Mr. Clark and ordered him back into his truck.

105. Mr. Clark complied. He returned to sit in his truck.

106. Defendant Hotard then asked Mr. Clark for his driver's license and registration, which he provided, though Defendant Hotard did not immediately take them from him.

107. Defendant Hotard did not explain why he detained Mr. Clark.

108. After asking for Mr. Clark's license and registration, but not taking them, Defendant Hotard stood above Mr. Clark, in the driver's side doorway, took out a flashlight, and began to flash it around the truck.

109. There was no apparent odor, no visible incriminating object, and no sound in or nearby Mr. Clark's truck that would indicate illegal activity.

110. Defendant Hotard then asked Mr. Clark to exit the vehicle and stand or sit at the back of his truck.

111. Mr. Clark complied. He sat on the back of his truck with his license and registration still in hand.

112. For several minutes, Defendant Hotard asked Mr. Clark questions.

113. Still, Defendant Hotard did not explain why he detained Mr. Clark.

114. Mr. Clark complied. He sat calmly and answered Defendant Hotard's questions.

115. Around this time, Defendant Bowden arrived at the gas station and approached Mr. Clark, who was still seated at the back of the truck. Defendant Bowden then looked in and around Mr. Clark's truck, flashing his flashlight through the windows and into the bed of

the truck.

116. Defendant Hotard asked Mr. Clark if he could search his truck.

117. Mr. Clark responded that the officers could not search his truck without a warrant.

118. Defendant Hotard again asked Mr. Clark for his license and registration.

119. Mr. Clark complied. He handed his license and registration to Defendant Hotard.

120. At this point, Defendant Hotard returned to his cruiser.

121. Shortly thereafter, Defendant Bowden joined Defendant Hotard, and they spoke in and around Defendant Hotard's cruiser.

122. For over seven minutes while Defendants Hotard and Bowden spoke, Mr. Clark remained sitting, as directed, on the bed of his truck. Mr. Clark did not feel free to leave.

123. After Defendants Hotard and Bowden finished talking, Defendant Bowden took his turn looking into and around the truck.

124. Mr. Clark continued to comply. He remained detained, sitting on the back of his truck.

D. Defendants Hotard and Bowden Repeatedly Searched Mr. Clark's Truck and Mr. Clark's Pockets

125. Nearly 15 minutes after first detaining Mr. Clark, and with neither a warrant nor consent, Defendants Hotard and Bowden began searching Mr. Clark's truck.

126. Defendants Hotard and Bowden searched the interior of the truck, the glove box, and the bed of the truck, throwing items around and searching extensively. At multiple points during the search, Defendant Bowden asked Mr. Clark, "Where's the crack at?" along with other comments reflecting a determination to find drugs. Defendant Bowden also repeatedly

raised his voice at Mr. Clark during the search.

127. Mr. Clark continued to comply. He remained detained sitting on the back of his truck. He ignored the derogatory remarks and acted in a calm and compliant manner.

128. About five minutes into the search, Defendant Hotard brought a labeled pill bottle to the bed of the truck to discuss it with Mr. Clark.

129. Mr. Clark complied, answering Defendant Hotard's questions. He told Defendant Hotard that the pills were, as labeled, Allopurinol, prescribed for his gout and joint pain.

130. Defendant Hotard then returned the pills to the truck.

131. At or around this point, DSPD officers—including Defendants McCullough and Doe 1-2—began arriving on scene.

132. A few minutes after resuming the search, Defendant Hotard went back into Mr. Clark's truck, grabbed the same labeled pill bottle, and brought it back out, placing it on the hood of his cruiser.

133. Defendants Hotard and Bowden then instructed Mr. Clark to remove his socks and shoes, so they could search his person. Defendants Hotard and Bowden had neither a warrant nor consent for this search.

134. Mr. Clark complied. He removed each shoe and sock, showing his bare feet to the officers as requested.

135. Defendant Hotard shined his flashlight and inspected Mr. Clark's bare feet.

136. Next, Defendant Bowden asked Mr. Clark if he had any weapons on him.

137. Mr. Clark complied. He responded yes and clarified that he had a sheetrocking utility knife and a screwdriver in his pocket from his work earlier in the day, along with a \$20 bill.

138. Defendants Bowden and/or Hotard instructed Mr. Clark to empty his pockets. Again, Defendants Hotard and Bowden had neither a warrant nor consent for this search.

139. Mr. Clark complied. He removed the utility knife and screwdriver from his pocket. He continued to dig through his pockets to make sure everything was removed. Mr. Clark also removed the \$20 bill.

140. Defendant Bowden reached inside of Mr. Clark's pants pocket on his right side, and Defendant Hotard patted and felt down the entire left side of Mr. Clark's cargo shorts.

141. After finding no evidence in the truck, no evidence in Mr. Clark's socks or shoes, and no evidence in Mr. Clark's pockets, Defendant Bowden went to the bed of the truck, where Mr. Clark keeps his tools.

142. Defendant Bowden removed a Quick Connect compressor attachment piece from the bed of the truck.

143. A Quick Connect compressor attachment piece is used in drywalling as a component of the air compressor system which, in turn, is used to spray wall texture. A picture of a Quick Connect compressor attachment piece, which looks identical to the piece in Mr. Clark's truck on May 24, 2021, is provided below:



144. With the Quick Connect compressor attachment in hand, Defendant Bowden

announced that he had found the pipe Mr. Clark uses to smoke crack cocaine.

145. At no point did Defendant Bowden ask Mr. Clark to explain what the Quick Connect compressor attachment was used for, or why he possessed it. Had he done so, Mr. Clark would have explained that he used the piece for his work as a sheetrocker.

146. Defendant Bowden again asked Mr. Clark if he had any weapons on him.

147. Mr. Clark complied. He explained that he had already emptied the contents of his pockets.

148. Then, Defendant Hotard and/or Bowden held up the \$20 bill, which had been removed from Mr. Clark's pocket. Defendant Officers began to speak loudly, asking Mr. Clark if he was going to "own up to whatever fell out of the bill." Defendant Hotard and/or Bowden opened the bill, and nothing fell out. When nothing fell out, Defendant Officers appeared surprised.

149. Understanding that Defendant Officers were done investigating the \$20 bill, Mr. Clark reached forward to retrieve his money and took the bill back from Defendant Hotard.

E. The Defendant Officers Injured Mr. Clark by Pulling His Arms and Pushing Him Around

150. At this point, neither Defendant Hotard nor Bowden told Mr. Clark he was under arrest.

151. Neither Defendant Hotard nor Bowden asked Mr. Clark to put his hands behind his back for handcuffing.

152. Neither Defendant Hotard nor Bowden in any way asked Mr. Clark to comply with a physical arrest.

153. Instead, after Mr. Clark retrieved his money, Defendant Hotard immediately grabbed Mr. Clark's right arm and Defendant Bowden grabbed Mr. Clark's left arm.

154. Defendants Hotard and Bowden then pulled both of Mr. Clark's arms forcefully behind his back, twisting them upward and back, while pushing his lower body into the bed of his truck. These actions put intense pressure on Mr. Clark's hands and wrists.

155. Then, Defendants Hotard and Bowden abruptly thrust Mr. Clark back, then forward and down while pulling his arms behind him, so that his upper body was nearly parallel to the ground, and he had to stumble to stay upright. The rapid jerking caused immediate pain in Mr. Clark's hip.

156. Mr. Clark is approximately 5'11" and 190 pounds. Defendant Hotard is approximately 5'11" and 200 pounds, and Defendant Bowden is approximately 6'2" and 290 pounds.

157. Mr. Clark is 67 years old. Defendant Hotard is in his 20s. Defendant Bowden is 26 years old.

158. While Defendants Hotard and Bowden were forcefully pulling and holding Mr. Clark's arms behind his back, Defendant McCullough approached Mr. Clark and used her hands and arms to place forceful pressure on his neck.

159. While pulling and pushing Mr. Clark, Defendant Bowden reached his right hand toward his utility belt near his service weapon.

160. Mr. Clark asked Defendants Hotard and Bowden to loosen their hold since he was in severe pain, but they refused.

161. Defendants Hotard and Bowden then handcuffed Mr. Clark.

F. Officers Hotard and Bowden Summoned Additional Officers Based on a False and Misleading Premise

162. At some point before arresting Mr. Clark, Defendants Hotard and/or Bowden put in a call over their police radio reporting a “108,” which signals Officer Down or Officer in Danger/Distress.

163. Law enforcement agencies in Livingston Parish understand a 108 call to indicate an emergency situation, such as an arrestee who is actively and physically fighting an officer, endangering that officer’s wellbeing. Within Livingston Parish, law enforcement officers on duty within a certain vicinity of a 108 call are obligated to respond quickly.

164. Two DSPD vehicles pulled into the Summit Fuel in response to the 108 call. In one vehicle was supervising officer Defendant McCullough. In the other vehicle were two additional DSPD officers, Defendants Doe 1-2. Another DSPD vehicle arrived a few minutes later with two additional DSPD officers.

165. Defendant McCullough and Doe 1-2 were in proximity to and able to observe Mr. Clark while Defendants Hotard and Bowden roughly grabbed him, pushing and pulling him while twisting his arms, before forcing his chest down and ultimately injuring him.

166. As it was past midnight and there were no other events occurring on the relatively quiet street, there was nothing to draw the attention of Defendant DSPD Officers away.

167. No Defendant Officer attempted to intervene at any time.

168. Due to Defendants Hotard and Bowden’s fruitless repetitive searches, the lack of any drugs or criminal paraphernalia found in the truck or on Mr. Clark, and a seemingly implausible statement by Defendant Hotard and/or Bowden about disappearing drugs, one DSPD officer on the scene believed it was unlikely a crime had been committed.

169. That officer therefore became concerned that Defendants Hotard and Bowden had committed a civil rights violation. That officer quickly left the scene in an effort to distance himself from further involvement.

G. Defendants Hotard and Bowden Again Searched Mr. Clark and Placed Him, Handcuffed, in the Police Cruiser

170. After handcuffing Mr. Clark, Defendants Hotard and Bowden proceeded to search his pockets for a third time and rolled out one of his pockets, inspecting it closely.

171. Defendants Hotard and Bowden found nothing.

172. Defendant Bowden lifted Mr. Clark's shirt and thrust his fingers inside of Mr. Clark's waistband. Defendant Hotard then lifted Mr. Clark's shirt two more times to inspect his waistband.

173. Defendants Hotard and Bowden found nothing.

174. Defendants Hotard and Bowden then searched the ground while Defendant Bowden asked Mr. Clark again "Where's the crack at?"

175. Defendants Hotard and Bowden found nothing.

176. Then, Mr. Clark asked Defendant Hotard to loosen the handcuffs because he was in severe pain.

177. Defendant Hotard refused. Instead, Defendants Hotard and Bowden placed Mr. Clark, handcuffed, into Defendant Hotard's police cruiser.

178. Mr. Clark complied. He sat calmly, handcuffed in the cruiser for the remainder of the encounter.

H. The Defendant Officers Continued to Search Mr. Clark's Truck and the Vicinity

179. After Defendant Hotard put Mr. Clark in the cruiser, Defendants Bowden, Hotard and McCullough continued to search the bed and interior of Mr. Clark's truck, as well as the ground near the truck. Defendant Officers searched for more than seven minutes, turning items over, and looking inside of them.

180. Defendant Officers found nothing.

181. During this search, Defendant Bowden continued to inspect the Quick Connect piece. Defendant Bowden showed the Quick Connect piece to the other Defendant Officers, including Defendants Hotard and McCullough.

182. For nearly ten minutes, Defendants Hotard, Bowden, McCullough, and Doe 1-2 talked together while Mr. Clark sat in the police cruiser.

183. Notwithstanding multiple extensive searches, conducted by multiple officers from multiple police forces, and multiple ensuing conversations, Defendant Officers took no evidence from the scene, aside from the Quick Connect piece.

I. Defendant Hotard Imprisoned Mr. Clark

184. Just under 15 minutes after placing Mr. Clark in his police cruiser, Defendant Hotard drove away to take Mr. Clark to the Livingston Parish Sheriff's Office Detention Center.

185. Throughout that time, Mr. Clark suffered pain in his hands and arms because his handcuffs were too tight.

186. During the drive to the Livingston Parish Sheriff's Office Detention Center,

Defendant Hotard apologized to Mr. Clark for how he was treated.

187. Mr. Clark spent approximately 90 minutes at the Livingston Parish Sheriff's Office Detention Center before his nephew picked him up.

188. On his hardly legible summons, Mr. Clark was charged with violation of R.S. 32:104 (failure to use turn signal) and R.S. 14:108 (resisting an officer).

189. The R.S. 32:104 (failure to use turn signal) charge was dropped. The R.S. 14:108 (resisting an officer) charge remains pending in the 21st Judicial District Court.

190. R.S. 14:108 often appears as the sole criminal charge in the 21st Judicial District. It is known to be used as a "cover charge," meaning that the individual was arrested, but the officers had no indication that additional and/or underlying criminal activity had occurred.

III. As a Result of the Incident, Defendant Officers Caused Mr. Clark to Suffer Substantial Injury

191. When Defendants Hotard and Bowden roughly and tightly restrained Mr. Clark, including when they pushed and pulled him, they fractured bones and tore ligaments in his right arm and right hand. Doctors confirmed these injuries after conducting two MRIs.

192. Mr. Clark is right-handed, so his right arm and hand are his dominant limbs. He relies especially on his right arm and hand, including to conduct his work as a sheetrocker.

193. Mr. Clark experienced severe swelling in his right hand and was unable to close his fist.

194. Over the course of several months, Mr. Clark saw several physical therapists for treatment for his arm and hand injuries.

195. In March 2022, Mr. Clark had surgery to treat the injuries Defendants Hotard and Bowden caused to his right arm and hand. Because of the surgery, Mr. Clark was required to

wear a cast on his arm and hand until early May 2022, and today he has a scar on his right hand as a result of the surgery.

196. Additionally, as a result of the force used against him, the 67-year-old Mr. Clark suffered significant pain and injury to his hip.

197. Mr. Clark's hip and back had previously suffered mild to moderate damage after years of physical labor.

198. Defendants Hotard and Bowden exacerbated this damage and further injured Mr. Clark's hip when they restrained him and abruptly and forcefully pushed him back, forward, and toward the ground.

199. As a result of the increased pain from this incident, Mr. Clark could neither sit nor lay comfortably. He had difficulty with even the most basic mobility and sleeping for six weeks after the incident due to the severe pain. He did not have severe pain or trouble sleeping before Defendant Officers injured him.

200. Mr. Clark sought medical attention for his hip pain. In September 2021, he had hip replacement surgery.

201. Since the events of the night of May 24, 2021, potential customers have offered Mr. Clark several sheetrocking jobs. He has had to decline these offers, however, because of the injuries he sustained at the hands of law enforcement. As a result of the cast and recovery time, he will be forced to turn down jobs down for at least the next two months.

202. These injuries also negatively affected Mr. Clark's enjoyment of life. He was previously an avid golfer and fisherman. Mr. Clark would catch, clean, cut, and deliver fish to families in the Neighborhood. The injuries that Defendants Hotard and Bowden inflicted upon Mr. Clark inhibited him from being able to partake in either activity.

203. Additionally, Mr. Clark has suffered and continues to suffer psychological injuries from the encounter. Due to Defendants Hotard and Bowden's aggressive conduct that night, including their raised voices, derogatory remarks, and escalation of force, Mr. Clark feared that the officers were going to kill him.

204. Mr. Clark experienced fear, anxiety, embarrassment, and humiliation during the incident and in the months following.

IV. After the incident, the Livingston Parish Sheriff's Office and the Denham Springs Police Department Failed to Respond to Mr. Clark's Complaints and Record Requests

A. Both the Livingston Parish Sheriff's Office and the Denham Springs Police Department Ignored Mr. Clark's Complaints

205. Three weeks after the incident, Mr. Clark filed a complaint with Officer Ronald Roberts at LPSO.

206. Mr. Clark did not receive any documentation from the complaint and was never contacted.

207. When Mr. Clark filed the complaint, he also asked why he had been arrested, as Defendants Hotard and Bowden had failed to explain the basis for his arrest. Officer Roberts explained he was arrested for failure to use a turn signal.

208. Mr. Clark called and left a message two to three times with Defendant Sheriff Ard to lodge a complaint. No one ever answered his calls or returned his messages.

209. Mr. Clark called and left a message two to three times with Defendant Chief Womack to lodge a complaint. No one ever answered his calls or returned his messages.

B. The Livingston Parish Sheriff's Office Has Disregarded Its Obligations to Respond to Public Records Requests

210. Through undersigned counsel, Mr. Clark submitted several public records requests to LPSO regarding the May 24 incident and LPSO's related policies.

211. In response, Defendant Sheriff Ard unlawfully ignored his statutory obligations under Louisiana's Public Records Law.

212. For example, Mr. Clark submitted his first written public records request on November 2, 2021 ("Request 1") via email and certified mail. The request sought records related to the May 24 incident. *See Ex. A* (attaching Request 1).

213. Mr. Clark submitted a second written public records request on November 2, 2021 ("Request 2") via email and certified mail. The request sought LPSO policies. *See Ex. B* (attaching Request 2).

214. Mr. Clark, through undersigned counsel, emailed and called LPSO regarding the record requests 26 times, attempting to reach both Dawn Wawak, the Office's records custodian, and Eric L. Pittman, LPSO's general counsel for public record requests. Neither official responded with any records.

215. On February 27, 2022, Mr. Clark, via counsel, sent a formal letter maintaining the right to receive records under Louisiana's Public Records Law ("Maintenance Letter"), to both Ms. Wawak and Mr. Pittman. *See Ex. C* (attaching Maintenance Letter). No response was received, and no records were provided.

216. Over the course of 197 days, Mr. Clark received no records, no reasons for any denial of records, no reasons for the records' unavailability, and no reasons for the records' absence.

V. The Livingston Parish Sheriff's Office Cultivates a Culture of Impunity, Enabling and Encouraging Unconstitutional and Injurious Policing

A. Defendant Sheriff Ard Actively Perpetuates a Culture of Silence by Failing to Investigate Complaints and Refusing to Respond To Public Records Requests

217. Defendants' mistreatment of Mr. Clark and complete failure to investigate is no anomaly. Rather, it evinces a pattern and practice of ignoring and obfuscating complaints, fostering a culture of impunity for officers who commit constitutional violations.

218. Defendant Sheriff Ard routinely directs and supports LPSO personnel, including the LPSO records custodian and public information officer, not to respond to public records requests, complaints, or other requests for information, especially information related to officer misconduct.

219. Defendant Sheriff Ard has stated that any complaint made against LPSO officers is informal until it is investigated by his office, but he does not formally investigate LPSO officers after receiving complaints.

220. As a result, LPSO neither formally documents nor addresses complaints.

221. For example, according to federal court documents, investigative reporting, and court dockets, LPSO received numerous reports of concerning information about a previously employed officer, Dennis Perkins, including a complaint from the Louisiana State Police and an officer on another force. Rather than formally investigate those complaints, however, Defendant Sheriff Ard at one time vouched for the officer's "good character." Later, when LPSO Officer Perkins was arrested for multiple counts of alleged sexual abuse of a minor, Defendant Sheriff Ard, through his public information officer, stated that LPSO

had “no knowledge” of prior complaints.

222. As another example, a Black man from the Neighborhood recently expressed concern about being pepper sprayed by LPSO officers while walking around the Neighborhood. Instead of helping him file a complaint or otherwise investigate the issue, a detective told him he “shoulda sued.” Years prior, that same man tried to lodge a complaint with LPSO after an LPSO deputy pulled a gun on his wife and baby during a traffic stop. When he mentioned racial profiling, the LPSO representative told him “don’t go there.”

223. Additionally, as alleged in *Miley v. Doe*, 18-cv-355 (M.D. La. 2018), in 2016 a man who was falsely arrested tried to lodge complaints that officers had mistaken him for someone else, but LPSO personnel repeatedly ignored his complaints until the day of his criminal trial, when the government’s witness explained “You have the wrong man.”

224. Likewise, *Pooler v. Ard et al.*, 21-cv-349 (M.D. La. 2021) alleged that LPSO deputies refused to review a grievance for deliberately indifferent medical care filed by an individual detained in the Livingston Parish Sheriff’s Office Detention Center.

225. Recently, a Black woman being held in the Livingston Parish Sheriff’s Office Detention Center repeatedly requested medical treatment, and her family repeatedly submitted complaints to LPSO regarding her lack of medical care following her severe beating and tasing by LPSO officers. LPSO officers threatened her with lockdown as a result of her complaints and requests for needed medical care. As of late March 2022, LPSO neither followed up nor initiated a formal investigation.

226. Defendant Sheriff Ard endorses, condones, and carries out this culture of impunity by intentionally failing to respond to and investigate complaints made against LPSO officers, or requests for information made regarding LPSO officers, and by failing to

screen, supervise, and discipline those officers.

B. Defendant Sheriff Ard's Complete Failure to Investigate Encourages Racialized Policing, Unlawful Seizures and Searches, and Excessive Force that Will Continue if Left Unchecked

227. Because of this longstanding lack of accountability fostered by Defendant Sheriff Ard, officers continue to engage in unconstitutional, unlawful, and otherwise poor policing practices which harm, injure, and violate the rights of numerous individuals.

228. As a result of the overpolicing of the Neighborhood, this unchecked misconduct falls disproportionately on its Black residents and visitors. Indeed, Mr. Clark has himself been significantly affected by this culture of silence and police misconduct.

229. In 2018, for example, officers pulled Mr. Clark over while he was driving his truck in the Neighborhood at the intersection of Capital Street and Florida Avenue SW (just down the street from the May incident addressed in this Complaint), after he had attended his nephew's football tournament. They proceeded to ask Mr. Clark and his companion, a man who had recently had a stroke, to wait outside in the cold while they searched his vehicle—despite not having a warrant, probable cause, or consent. The officers did not articulate any basis for the search to him or his fellow passenger, and they were let go without being arrested or charged with any crime.

230. LPSO's record of unconstitutional policing is also clearly reflected in judicial dockets. Though several of those lawsuits were dismissed on procedural grounds, they demonstrate the volume of concerning conduct by LPSO.

231. On the same street as both of Mr. Clark's stops, for example, Brent Lee, as

alleged in *Lee v. Ard et al.*, 17-cv-23 (M.D. La. 2017), was pulled over by an LPSO officer for an alleged traffic violation that resulted in an excessive use of force. Because of prior negative experience with police in the Neighborhood, he was “extremely fearful” of interacting with law enforcement there. Unfortunately, LPSO deputies deployed a K-9 unit on him, resulting in serious injuries.

232. *Aubin et al., v. Columbia Cas. Co. et al.*, 16-cv-290 (M.D. La. 2016) alleged that LPSO used excessive force, and unlawfully seized, arrested, imprisoned, and prosecuted the plaintiff in violation of his Fourth Amendment and state constitutional rights. The case—which took place in or near Denham Springs and involved LPSO personnel cursing at and threatening the plaintiffs, as well as a physical beating and painful arm twist resulting in injury—settled after the battery claim survived summary judgment, and he prevailed on his false arrest claim.

233. As another example, *Lowell et al, v. Ard et al.*, 17-cv-187 (M. D. La. 2017) alleged that LPSO deputies stopped, seized, and unlawfully beat the plaintiff just outside of the Neighborhood in Denham Springs, and failed to respond to medical complaints in violation of his federal and state constitutional rights. The plaintiff also sued Defendant Sheriff Ard for negligence in not supervising and training his officers.

234. A recently settled case, *Causer v. Ard et al.*, 18-cv-779 (M.D. La. 2018), alleged that LPSO deputies summoned to a Denham Springs home for assistance instead stopped, arrested, beat, and handcuffed an older woman, resulting in injuries. The woman sued for violations of her Fourth Amendment rights, including excessive force, and sued Sheriff Ard for failure to supervise his deputies.

235. *Mocsary v. Ard, et al.*, 17-cv-1713 (M.D. La. 2017), alleged LPSO used excessive

force against an older gentleman in LPSO's custody and care, and was deliberately indifferent to his need for medical care for severe injuries resulting from being beaten and tased.

236. Finally, in a recent high-profile case, *Batiste-Swilley v. City of Baton Rouge et al.*, 17-cv-443 (M.D. La. 2017), Sheriff Ard, Deputy Bowden, and other deputies from multiple law enforcement agencies were sued for unlawfully stopping, seizing, arresting, invading the property of, and violating the race-based equal protection of Black residents in a nearby county.

237. The gross and repeated police misconduct described in these cases evince that harm is ongoing. It continues to endanger those individuals subject to its jurisdiction, including the above-mentioned Black woman currently incarcerated in the Livingston Parish Sheriff's Office Detention Center. According to the woman, officers pulled her out of her car, slammed her into the road, cracked her skull against the ground (causing her to bleed), tased her multiple times—including once in the head—before beating her. She was left with two black eyes, severe bruising on her shoulders and back, and a broken collarbone. Her and her family's complaints have gone unaddressed and unanswered.

238. The myriad cases alleging unconstitutional policing by LPSO, its repeated failure to investigate police misconduct, and the barriers to complaints individuals face in grieving their treatment by LPSO, demonstrate the clear need for accountability.

239. Defendant Sheriff Ard has fostered an environment which, at best, leaves unconstitutional policing by his deputies unchecked, and at worst, actively incentivizes it. His failure to investigate, monitor, and discipline his officers, means illegal conduct will continue, absent external intervention.

CLAIMS

COUNT ONE

42 U.S.C. § 1983 (Fourteenth Amendment) and La. Const. Art. I § 3 Denial of Equal Protection (Against Defendants Sheriff Ard and Hotard)

240. Plaintiff hereby incorporates by reference all preceding paragraphs of this Complaint as if fully set forth herein.

241. LPSO has a policy, practice, and/or custom of targeted policing and traffic enforcement in and near the Neighborhood, including stops and/or searches for which there is insufficient suspicion.

242. Because Livingston Parish is so highly segregated, the targeted policing of the sole predominantly Black Neighborhood has a disproportionately negative impact on Black residents and visitors to the Neighborhood. The targeted policing amounts to a form of racial profiling.

243. The Livingston Parish Sheriff, in his official capacity, is the political subdivision with authority to supervise officers for LPSO. Defendant Sheriff Ard, as Sheriff, is the final municipal policymaker.

244. On information and belief, Defendant Sheriff Ard and/or his predecessors adopted and/or carried out a written or oral policy, identifying the Neighborhood as a prime target for policing efforts, including unconstitutional seizures and searches.

245. In the alternative, Defendant Sheriff Ard and/or his predecessors have ratified, sanctioned, encouraged, and failed to rectify LPSO officers' targeting of the Neighborhood for aggressive policing and have failed to supervise, monitor, or discipline officers for targeted policing in the Neighborhood.

246. Additionally, Defendant Sheriff Ard and/or his predecessors' policies of failing to respond to complaints and/or requests for information furthered this policy and enabled continued targeted policing in the Neighborhood.

247. The targeted policing stems from an intent to target Black residents of, and visitors to, the Neighborhood based on race. Alternatively, or in addition, the targeted policing stems from an intent to treat the predominantly Black Neighborhood differently from similarly situated neighborhoods that are not predominantly Black, on the basis of race.

248. This targeted policing does not suitably further any appropriate state interest.

249. LPSO's targeted policing of the Neighborhood reflects deliberate indifference on the part of Defendant Sheriff Ard and individual officers toward Black residents' and visitors' Fourteenth Amendment rights to the equal protection of the law.

250. Defendant Hotard perpetuated this policy by pulling over Plaintiff, violating his right to equal protection of the law.

251. Plaintiff has suffered and continues to suffer embarrassment, humiliation, and anxiety due to this constitutional violation.

COUNT TWO
42 U.S.C. § 2000d et seq. (Title VI)
Intentional Race Discrimination
(Against Defendant Sheriff Ard)

252. Plaintiff hereby incorporates by reference all other paragraphs of this Complaint as if fully set forth herein.

253. Defendant Sheriff Ard, in his official capacity, is an instrumentality of the local government of Livingston Parish, and as such is a "program" for the purposes of Title VI of the Civil Rights Act of 1964. 42 U.S.C. § 2000d-4(a)(1).

254. Defendant Sheriff Ard has received federal funds directly and indirectly. Those funds were intended to enhance local law enforcement services.

255. The acts and conduct of the Sheriff, alleged in this Complaint, were intended to discriminate on the basis of race and have a disparate impact on minorities—namely Black residents of, and visitors to, the Neighborhood.

256. The acts and conduct of the Sheriff, alleged in this Complaint, resulted in racial discrimination against Plaintiff, a Black visitor to the Neighborhood.

257. Plaintiff was among the intended beneficiaries of these funds as he is affected by the provision of local law enforcement services when he visits the Neighborhood, drives on its streets, and utilizes its private and public facilities. Plaintiff is among the community members whom the federal funds intended, at least in part, to keep safe.

258. As a direct and proximate cause of the above-mentioned acts, Plaintiff has suffered and continues to suffer embarrassment, humiliation, and anxiety, and has been deprived of his rights under the Civil Rights Act.

COUNT THREE

42 U.S.C. § 1985(3) and 42 U.S.C. § 1983 (Fourteenth Amendment) Conspiracy to Violate Equal Protection (Against Defendants Hotard, Sheriff Ard, Chief Womack, and the City)

259. Plaintiff hereby incorporates by reference all preceding paragraphs of this Complaint as if fully set forth herein.

260. Defendants Sheriff Ard, Hotard, Chief Womack, and the City conspire to target the Neighborhood based on race, purposefully depriving individuals in the predominantly Black Neighborhood—including Plaintiff, who is Black—of their equal protection of the laws as described herein.

261. Defendant Sheriff Ard acted overtly in furtherance of the conspiracy when he instituted, ratified, and/or failed to rectify the policy of targeting the predominantly Black Neighborhood for overpolicing based on race.

262. Defendant Hotard acted overtly in furtherance of the conspiracy when he unlawfully stopped and detained Plaintiff in the predominantly Black Neighborhood, based on race.

263. Defendants Chief Womack and the City acted overtly in furtherance of the conspiracy when they instituted, ratified, and/or failed to rectify the policy of targeting the predominantly Black Neighborhood for overpolicing based on race.

264. Alternatively, or in addition, Defendants Chief Womack and the City acted overtly in furtherance of the conspiracy when they supported Defendant Sheriff Ard's policy of targeting the predominantly Black Neighborhood for overpolicing based on race, including by conducting stops, seizures, and searches in the predominantly Black Neighborhood.

265. Defendants Hotard, Sheriff Ard, Chief Womack, and the City took concrete steps to enter into an agreement to violate the Equal Protection Clause as alleged herein, including the overt acts on May 24, 2021 as set forth above.

266. In the implementation of the conspiracy, Defendants employed the customs, usages, and policies of racially discriminatory policing as set forth above.

267. The conspirators—Defendants Sheriff Ard, Hotard, Chief Womack, and the City—acted with racial animus when they carried out the above-described actions.

268. DSPD and LPSO frequently coordinate their policing efforts and work closely together, including on the above-described racially motivated overpolicing of the predominantly Black Neighborhood.

269. Each of Defendants Hotard, Sheriff Ard, Chief Womack, and the City are therefore liable for the violation of the Plaintiff's rights by any other party to this conspiracy.

270. This conspiracy, and the overt acts taken to further it, are a direct and proximate cause of the unlawful racial targeting used against Plaintiff who has suffered and continues to suffer embarrassment, humiliation, and anxiety.

COUNT FOUR
42 U.S.C. § 1983 (Fourth Amendment) and La. Const. Art. I § 5
Unreasonable Seizure
(Against Defendant Hotard)

271. Plaintiff hereby incorporates by reference all preceding paragraphs of this Complaint as if fully set forth herein.

272. When Defendant Hotard pulled up behind Plaintiff and activated his emergency lights, he had not observed Plaintiff violate any traffic or criminal laws. Defendant Hotard observed no other factors which, together or separately, provided objective reasonable suspicion or probable cause for any criminal activity or traffic violation.

273. By pulling up behind Plaintiff and activating his emergency lights, Defendant Hotard seized and detained Mr. Clark.

274. By detaining Mr. Clark without reasonable suspicion, Defendant Hotard violated his clearly established Fourth Amendment right to be free from unreasonable seizure.

275. At the time Defendant Hotard impermissibly detained Plaintiff, he was operating under color of state law, and his actions were conducted within the scope of his official duties or employment.

276. As a direct and proximate result of Defendant Hotard's detention of Plaintiff, he has suffered and continues to suffer embarrassment, humiliation, and anxiety.

COUNT FIVE
42 U.S.C. § 1983 (Fourth Amendment) and La. Const. Art. I § 5
Unlawfully Prolonged Detention
(Against Defendants Hotard and Bowden)

277. Plaintiff hereby incorporates by reference all preceding paragraphs of this Complaint as if fully set forth herein.

278. After Defendant Hotard checked and ran Plaintiff's license and registration and declined to issue a ticket or warning for the purported turn-signal violation, he completed the mission for the stop.

279. In the alternative, after Defendant Hotard had a reasonable opportunity to check and run Plaintiff's license and registration, he completed the mission for the stop. At that point, the tasks reasonably tied to the alleged traffic infraction were, or reasonably should have been, completed.

280. At that point, Defendants Hotard and Bowden had no basis for reasonable suspicion of criminal activity, let alone probable cause, to justify prolonging Plaintiff's detention.

281. Defendants Hotard and Bowden nonetheless continued to detain Plaintiff, during which time they conducted numerous unlawful searches.

282. The searches that Defendants Hotard and Bowden conducted on Mr. Clark's person, vehicle, and/or other property during the prolonged detention were not reasonably related in scope to the purported turn-signal violation, nor to any other safety concern related to the purported traffic stop.

283. By prolonging the stop after its mission had concluded, without reasonable suspicion or probable cause, Defendants Hotard and Bowden violated Plaintiff's clearly established Fourth Amendment right to be free from unreasonable seizure.

284. At the time Defendants Hotard and Bowden impermissibly extended the detention, they were operating under color of state law, and their actions were conducted within the scope of their official duties or employment.

285. As a direct and proximate result of Defendants Hotard and Bowden's conduct as set forth above, Plaintiff has suffered and continues to suffer embarrassment, humiliation, and anxiety.

COUNT SIX
42 U.S.C. § 1983 (Fourth Amendment – Monell)
Unreasonable Seizures
(Against Defendant Sheriff Ard)

286. Plaintiff hereby incorporates by reference all preceding paragraphs of this Complaint as if fully set forth herein.

287. Defendants Hotard and/or Bowden, acting through Defendant Sheriff Ard's direction and/or ratification, carried out a policy of conducting unreasonable seizures and/or traffic stops in the predominantly Black Neighborhood when they seized and continually detained Plaintiff.

288. This conduct stems from a policy, pattern, and practice of stopping drivers in the predominantly Black Neighborhood. The behavior of Defendants Hotard and/or Bowden exemplify this practice.

289. Alternatively, and/or in addition, this policy results from the failure of Defendant Sheriff Ard to supervise officers as to their clear constitutional duty to not subject citizens to unreasonable and prolonged seizures around this identified Neighborhood. This failure to screen, monitor, discipline, and supervise amounts to deliberate indifference by Defendant

Sheriff Ard toward the constitutional duties of his officers and the constitutional rights of the people they police.

290. The Livingston Parish Sheriff, in his official capacity, is the political subdivision with authority to supervise officers for LPSO. Defendant Sheriff Ard, as Sheriff, is the final municipal policymaker.

291. Defendant Sheriff Ard's failure to supervise was a proximate cause and/or moving force of the above-described violations of Plaintiff's Fourth Amendment rights to be free from unreasonable and prolonged seizures.

292. As a direct and proximate result, Plaintiff has suffered and continues to suffer embarrassment, humiliation, and anxiety.

COUNT SEVEN

42 U.S.C. § 1983 (Fourth Amendment), La. Const. Art. I § 5, and La. Civ. Code Art. 2315 Unreasonable Search of Car & Invasion of Privacy (Against Defendants Hotard, Bowden, and Sheriff Ard)

293. Plaintiff hereby incorporates by reference all preceding paragraphs of this Complaint as if fully set forth herein.

294. Plaintiff had a reasonable expectation of privacy as to his truck and its contents, including closed containers.

295. Defendants Hotard and Bowden did not possess a lawfully issued warrant to search the truck nor its contents.

296. Defendants Hotard and Bowden did not possess probable cause, arguable probable cause, or reasonable suspicion sufficient to justify a warrantless search of the truck nor its contents.

297. Plaintiff did not give consent to search his truck nor its contents without a warrant.

298. No other exception to the warrant requirement under the Fourth Amendment justified a search of the truck nor its contents.

299. Defendants Hotard and Bowden unreasonably intruded upon Plaintiff's privacy interest by searching his truck and its contents.

300. As described herein, the search was unlawful.

301. Accordingly, Plaintiff's privacy interest outweighed Defendants' interest in pursuing their course of conduct.

302. When they searched the truck and its contents, Defendants Hotard and Bowden were acting under color of state law, and their actions were conducted within the scope of their official duties or employment.

303. Defendant Sheriff Ard is vicariously liable for the invasion of Mr. Clark's privacy by LPSO officers, pursuant to La. Civ. Code Art. 2320.

304. As a direct and proximate result of Defendants Hotard and Bowden's conduct as set forth above, Plaintiff has suffered and continues to suffer interference with his privacy and/or personal property, embarrassment, humiliation, and anxiety.

COUNT EIGHT

42 U.S.C. § 1983 (Fourth Amendment), La. Const. Art. I § 5, and La. Civ. Code Art. 2315 Unreasonable Search of Person & Invasion of Privacy (Against Defendants Hotard, Bowden, and Sheriff Ard)

305. Plaintiff hereby incorporates by reference all preceding paragraphs of this Complaint as if fully set forth herein.

306. Plaintiff had a reasonable expectation of privacy as to his person, body, and clothing.

307. Defendants Hotard and Bowden did not possess a lawfully issued warrant to search Plaintiff.

308. Defendants Hotard and Bowden did not possess probable cause, arguable probable cause, or reasonable suspicion sufficient to justify a warrantless search of Plaintiff.

309. Plaintiff did not give consent to search his person, body, and clothing.

310. No other exception to the warrant requirement under the Fourth Amendment justified a search of Plaintiff's person, body, and clothing.

311. Defendants Hotard and Bowden unreasonably intruded upon Plaintiff's privacy interest by searching his person, body, and clothing.

312. As described herein, the search was unlawful.

313. Accordingly, Plaintiff's privacy interest outweighed Defendants' interest in pursuing their course of conduct.

314. When they searched Plaintiff, Defendants Hotard and Bowden were acting under color of state law, and their actions were conducted within the scope of their official duties or employment.

315. Defendant Sheriff Ard is vicariously liable for the invasion of Mr. Clark's privacy by LPSO officers, pursuant to La. Civ. Code Art. 2320.

316. As a direct and proximate result of Defendants Hotard and Bowden's conduct as set forth above, Plaintiff has suffered and continues to suffer interference with his privacy and/or personal property, embarrassment, humiliation, and anxiety.

COUNT NINE
La. Civ. Code Art. 2315
Negligence (Failure to Monitor, Supervise, and Discipline Unreasonable Searches and Seizures)
(Against Defendant Sheriff Ard)

317. Plaintiff hereby incorporates by reference all paragraphs in this Complaint as if fully set forth herein.

318. Defendant Sheriff Ard is liable for compensatory damages under the doctrine of respondeat superior for the violations of Plaintiff's right to be free from unlawful searches and seizures under the Louisiana Constitution, which Defendants Hotard and Bowden committed within the scope of their employment.

319. Defendant Sheriff Ard owed Plaintiff a duty to monitor, supervise, investigate, and otherwise control his respective officers in the use of unconstitutional traffic stops, seizures, and searches, as well as other matters incidental to the exercise of police functions, including preventing the violation of civil rights by other police officers.

320. Defendant Sheriff Ard failed to provide adequate monitoring, supervision, and control of Defendants Hotard and Bowden which failure constitutes negligence, including by implementing and/or ratifying a policy of conducting unlawful stops and searches in the predominantly Black Neighborhood, and/or failing to stop his officers from conducting unlawful stops and searches.

321. As a direct and proximate result of Defendant Sheriff Ard's conduct and lack thereof as set forth above, Plaintiff has suffered and continues to suffer damages including embarrassment, humiliation, and anxiety.

COUNT TEN
42 U.S.C. § 1983 (Fourth Amendment)
Excessive Force
(Against Defendants Hotard and Bowden)

322. Plaintiff hereby incorporates by reference all other paragraphs of this Complaint as if fully set forth herein.

323. Defendants Hotard and Bowden used excessive force when they forcefully pulled Plaintiff's arms behind his body, pushed him against his truck, then pushed him down toward the ground, and tightly constricted his hands and arms.

324. The use of force was clearly excessive and objectively unreasonable, given the facts and circumstances before and during the use of force, including the severity of the infraction at issue; the level of threat to the safety of the officers; and because Plaintiff did not actively resist, evade, nor flee.

325. Plaintiff suffered physical injuries as a result of Defendants Hotard and Bowden's use of force.

326. Defendants Hotard and Bowden, at all relevant times, were acting under color of state law, and thus their actions were conducted within the scope of their official duties or employment.

327. As a direct and proximate result of Defendants Hotard and Bowden's conduct as set forth above, Plaintiff has suffered and continues to suffer embarrassment, humiliation, pain, anxiety, past and future medical expenses, loss of enjoyment, and lost income.

COUNT ELEVEN
La. Const. Art. 1, § 5 and La. Civ. Code Art. 2315
Excessive Force/Battery
(Against Defendants Hotard, Bowden, and Sheriff Ard)

328. Plaintiff hereby incorporates by reference all other paragraphs of this Complaint as if fully set forth herein.

329. Defendants Hotard and Bowden used excessive force when they forcefully pulled Plaintiff's arms behind his body, pushed him against his truck, then pushed him down toward the ground, and tightly constricted his hands and arms.

330. The use of force was objectively unreasonable, given the facts and circumstances before and during the use of force, including Plaintiff's known character; the lack of risks and dangers faced by Defendants Hotard and Bowden; the absence of an infraction and/or behavior at issue; the absence of a chance or indication of escape or flight; the existence of alternative methods of arrest or subduing; the physical size, strength, age, and weaponry of Defendants Hotard and Bowden as compared to Plaintiff; and/or the lack of exigencies of the moment.

331. Plaintiff suffered physical injuries as a result of Defendants Hotard and Bowden's use of force.

332. Defendants Hotard and Bowden, at all relevant times, were acting under color of state law, and thus their actions were conducted within the scope of their official duties or employment.

333. Defendant Sheriff Ard is vicariously liable for the excessive force/battery of Mr. Clark, pursuant to La. Civ. Code Art. 2320.

334. As a direct and proximate result of Defendants Hotard and Bowden's conduct as set forth above, Plaintiff has suffered and continues to suffer embarrassment, humiliation, pain, anxiety, past and future medical expenses, loss of enjoyment, and lost income.

COUNT TWELVE
42 U.S.C. § 1983 (Fourth Amendment)
Bystander Liability
(Against Defendants McCullough and Doe 1-2)

335. Plaintiff hereby incorporates by reference all paragraphs in this Complaint as if fully set forth herein.

336. Defendants McCullough and Doe 1-2 were present at the scene.

337. Defendants McCullough and Doe 1-2 were in direct proximity to, and able to observe, while Defendants Hotard and Bowden questioned, searched, escalated, and used force on Plaintiff.

338. There were no interrupting factors that would have called Defendants McCullough or Doe 1-2's attention away.

339. Defendants McCullough and Doe 1-2 violated the rights of Plaintiff to be free from excessive use of force when, despite knowing about the unconstitutional use of excessive force and having reasonable opportunity to do so, they failed to instruct or order officers to stop, restrain the officers, or intervene to stop the excessive force.

340. Defendants McCullough and Doe 1-2, at all relevant times, were acting under color of state law in their capacity as DSPD officers, and their actions and omissions were conducted within the scope of their official duties or employment.

341. Defendants McCullough and Doe 1-2 conspired together to observe and allow the unconstitutional violations committed by Defendants Hotard and Bowden. Accordingly, they are liable jointly, solidarily, and in solido for the unconstitutional, tortious, and statutory conduct set forth herein.

342. As a direct and proximate result of Defendants McCullough and Doe 1-2's conduct as set forth above, Plaintiff has suffered and continues to suffer embarrassment,

humiliation, pain, anxiety, past and future medical expenses, loss of enjoyment, and lost income.

COUNT THIRTEEN
42 U.S.C. § 1983 (Fourth Amendment – Monell)
Failure to Investigate Excessive Force
(Against Defendant Sheriff Ard)

343. Plaintiff hereby incorporates by reference all paragraphs in this Complaint as if fully set forth herein.

344. Defendants Hotard and Bowden, acting through Defendant Sheriff Ard's direction and/or ratification, carried out a policy of imposing excessive force when they pushed and pulled Plaintiff, causing his injuries as described herein.

345. The Livingston Parish Sheriff, in his official capacity, is the political subdivision with authority to supervise officers for LPSO. Defendant Sheriff Ard, as Sheriff, is the final municipal policymaker.

346. On information and belief, Defendant Sheriff Ard has directly and proximately caused, and/or was the moving force behind, LPSO's policy, practice, and/or custom of excessive force by failing to adequately and properly investigate complaints of unconstitutional conduct by LPSO personnel, including a number of incidents of excessive force.

347. Defendant Sheriff Ard overtly and tacitly encourages and/or sanctions this policy, practice and/or custom by failing to adequately and properly respond to complaints against LPSO personnel and requests for information regarding said personnel and/or their violations.

348. This failure to supervise, investigate, and respond to complaints amounts to deliberate indifference by Defendant Sheriff Ard toward the constitutional duties of his officers and the constitutional rights of the people they police.

349. Defendant Sheriff Ard's failure to investigate perpetuates a culture of silence that permits the use of excessive force without fear of repercussions.

350. This failure to investigate perpetuates a policy and culture of unlawful and unconstitutional police practices, including excessive use of force with impunity, and this culture was a direct and proximate cause of the violation of Plaintiff's Fourth Amendment rights and his resulting embarrassment, humiliation, pain, anxiety, past and future medical expenses, loss of enjoyment, and lost income.

COUNT FOURTEEN
La. Civ. Code Art. 2315
Negligence in Handcuffing
(Against Defendants Hotard and Sheriff Ard)

351. Plaintiff hereby incorporates by reference all other paragraphs of this Complaint as if fully set forth herein.

352. Defendant Hotard owed a duty of care to Plaintiff. Namely, he was obligated not to injure Plaintiff while handcuffing him.

353. Defendant Hotard breached his duty to Plaintiff when he negligently applied the handcuffs too tight, knowing that they were too tight, and failed to remedy the harm, thus failing to protect him from injury.

354. As a result of this breach of the duty of care, Plaintiff experienced physical injuries.

355. Defendant Hotard, at all relevant times, was acting under color of state law, and thus his actions were conducted within the scope of his official duties or employment.

356. Defendant Sheriff Ard is vicariously liable for the negligent treatment of Plaintiff, pursuant to La. Civ. Code Art. 2320.

357. As a direct and proximate result of Defendant Hotard's conduct as set forth above, Plaintiff has suffered and continues to suffer embarrassment, humiliation, pain, anxiety, past and future medical expenses, loss of enjoyment, and lost income.

COUNT FIFTEEN
42 U.S.C. § 1983 (Fourth Amendment)
False Arrest
(Against Defendants Hotard and Bowden)

358. Plaintiff hereby incorporates by reference all preceding paragraphs of this Complaint as if fully set forth herein.

359. Defendants Hotard and Bowden arrested Plaintiff and placed him in the police cruiser.

360. Plaintiff's arrest was unlawful because Defendants Hotard and Bowden arrested him without probable cause.

361. The lack of probable cause to arrest Plaintiff would have been evident to any reasonable officer based on the facts and circumstances within Defendants Hotard and Bowden's knowledge at the time.

362. Neither Defendant Hotard nor Defendant Bowden witnessed Plaintiff break any law, nor did they have any reason to believe that Plaintiff had broken or was about to break any law.

363. By arresting Plaintiff without probable cause, Defendants Hotard and Bowden violated Plaintiff's Fourth Amendment rights.

364. Defendants Hotard and Bowden, at all relevant times, were acting under color of state law in his capacity as an LPSO officer, and their actions were conducted within the scope of their official duties or employment.

365. As a direct and proximate result of this false arrest, Plaintiff has suffered and continues to suffer embarrassment, humiliation, and anxiety.

COUNT SIXTEEN
La. Civ. Code Art. 2315
False Imprisonment
(Against Defendants Hotard and Sheriff Ard)

366. Plaintiff hereby incorporates by reference all other paragraphs of this Complaint as if fully set forth herein.

367. Defendant Hotard imprisoned Plaintiff when he handcuffed him, placed him in his police cruiser, and detained him in the Livingston Parish Sheriff's Office Detention Center.

368. Plaintiff's imprisonment was unlawful because Defendant Hotard arrested him without probable cause.

369. The lack of probable cause to arrest Plaintiff would have been evident to any reasonable officer based on the facts and circumstances within Defendant Hotard's knowledge at the time.

370. Defendant Hotard did not witness Plaintiff break any law, nor did he have any reason to believe that Plaintiff had broken or was about to break any law.

371. By arresting Plaintiff without probable cause and imprisoning him, Defendant Hotard violated Plaintiff's Fourth Amendment rights and violated the state laws of Louisiana.

372. Defendant Hotard, at all relevant times, was acting under color of state law in his capacity as an LPSO officer, and his actions were conducted within the scope of his official duties or employment.

373. Defendant Sheriff Ard is vicariously liable for the intentional tortious conduct of Defendant Hotard, committed within the scope of his employment pursuant to La. Civ. Code Art. 2320.

374. As a direct and proximate result of Defendant Hotard's conduct as set forth above, Plaintiff has suffered and continues to suffer embarrassment, humiliation, and anxiety.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Alexander Clark respectfully requests that the Court enter judgment in his favor against Defendants Jean Hotard, Calvin Taylor Bowden, Sheriff Jason Ard, Sydney McCullough, Johns Doe 1-2, Chief J. Shannon Womack, and the City of Denham Springs, and award the following relief:

A. Declaratory relief:

1. A declaration that Defendants' conduct violated the U.S. and Louisiana Constitutions, the laws of Louisiana, and Title VI of the Civil Rights Act;
2. A declaration that the implementation, enforcement, and sanctioning of targeting the Neighborhood is a direct and proximate result of the following policies, practices and/or customs of Defendant Sheriff Ard:
 - a. failing to adequately screen, supervise, investigate, and discipline officers;
 - b. failing to adequately monitor LPSO and its officers and discipline those LPSO officers who violate the constitutional and statutory rights of

residents of and visitors to the Neighborhood;

- c. encouraging LPSO officers and employees to ignore complaints and requests for information; and
- d. encouraging records custodians to violate the Louisiana Public Records Law;

3. A declaration that Defendants conspired to violate the equal protection of residents of and visitors to the Neighborhood, in violation of federal law;

B. Injunctive relief requiring LPSO and DSPD officers to:

1. cease the policy, practice, and/or custom of conducting traffic stops and seizures on the basis of race and specifically targeting this Neighborhood for overpolicing;
2. institute and implement policies and programs with respect to monitoring, supervision, and discipline that will eliminate the policy, pattern, practice, and/or custom of targeting residents of and visitors to the Neighborhood on the basis of race;
3. implement appropriate measures to ensure that officers and personnel document all seizures and searches in sufficient detail as to permit supervisory review for compliance with the Fourth and Fourteenth Amendments and Title VI of the Civil Rights Act;

C. Compensatory damages including past and future medical expenses for physical injuries and mental health, loss of enjoyment, and loss of income;

D. Punitive damages;

E. Attorney's fees and costs as provided by law;

F. Further appropriate equitable relief; and

G. Any other relief this Court deems just and proper.

Dated: May 19, 2022

Respectfully submitted,

By:  _____

Megan E. Snider (LA Bar #33382)
Nora Ahmed* (NY Bar #5092374)
ACLU Foundation of Louisiana
1340 Poydras St., Suite 2160
New Orleans, LA 70112
(504) 522-0628
msnider@laaclu.org
nahmed@laaclu.org
justicelab@laaclu.org
*Admitted to the New York Bar,
not admitted to the Louisiana Bar
(pro hac forthcoming)

Alyssa Martinez** (Cal. Bar #342466)
Emily Olivencia-Audet** (Cal. Bar # 342116)
Claire Simonich** (Cal. Bar #316094)
Shubhra Shivpuri** (Cal. Bar #295543)
SOCIAL JUSTICE LEGAL FOUNDATION
523 West 6th St., Suite 450
Los Angeles, CA 90014
T: 213-973-4063
F: 213-973-4063
amartinez@socialjusticelaw.org
eolivencia@socialjusticelaw.org
csimonich@socialjusticelaw.org
sshivpuri@socialjusticelaw.org
**Admitted to the California Bar,
not admitted to the Louisiana Bar
(pro hac forthcoming)

Attorneys for Plaintiff Alexander Clark