

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

Nia Mills,

Plaintiff,

vs.

William Allen Connelly;
John Gaudet; Sheriff Michael Cazes; John
Does 1-10,

Defendants.

Case No. 22-193-BAJ-EWD

Judge Brian A. Jackson

Magistrate Judge Erin Wilder-Doomes

FIRST AMENDED COMPLAINT

1. Plaintiff Nia Mills, by and through her undersigned counsel, and for her First Amended Complaint against Defendants William Allen Connelly, John Gaudet, Sheriff Michael Cazes, and John Does 1-10, alleges as follows:

INTRODUCTION

2. This case seeks to address a culture of unconstitutional policing in the West Baton Rouge Parish Sheriff's Office ("WBRSO"). Caught up in WBRSO's culture of impunity, during a road trip through Louisiana with her partner¹, Nia Mills ("Ms. Mills" or "Plaintiff Mills") was illegally detained, searched, assaulted, emotionally tormented, and deprived of

¹ In accordance with the Court's November 10, 2023 Order (ECF No. 127), Plaintiff has removed all claims by Cory Catchings. Plaintiff objects to this ruling and will be filing a motion for reconsideration within 28 days of this Court's November 10, 2023 Order, as prescribed by Fed. R. of Civ. P. 59(e). The issue of whether the one-year prescriptive period applies to Section 1983 claims is currently on appeal to the United States Court of Appeals for the Fifth Circuit in *Brown v. Pouncy*, No. 22-30691 (5th Cir. 2023) and statements by the Circuit Court at oral argument in *Brown*, held on October 4, 2023, indicate this issue is novel and needs to be considered by the United States Supreme Court. As such, Plaintiff respectfully objects to this Court's conclusion that amendment to add the claims of Mr. Catchings would be futile. In no way should this Amended Complaint be misconstrued as a voluntary waiver of Mr. Catching's claims.

thousands of dollars, among other abuses and violations of the federal and Louisiana constitutions.

3. Ms. Mills is a Black woman who was born in Switzerland while her father served in the U.S. military. She relocated to Jackson, Mississippi several years ago. Ms. Mills is an audio engineer.

4. Mr. Catchings is a Black man who was born in Jackson, Mississippi, where he lived until the date of the incident. He is an athletic trainer and owns a small company that sells clothing he designs.

5. Ms. Mills and Mr. Catchings are parents to a nine-year-old daughter, born in 2013.

6. In August of 2020, Mr. Catchings suffered a traumatic brain injury as the result of a fall. He had emergency surgery to remove a portion of his skull, which was not replaced until a second surgery in November 2020.

7. Four months later, on March 26, 2021, Ms. Mills and Mr. Catchings left their daughter with family in Mississippi while they traveled to Texas to buy a used car. The couple planned to use money from their respective Covid-19 economic stimulus payments to buy the car, and they carried approximately \$3,500 in cash to spend at the Texas dealership.

8. Early in the afternoon, as they passed through Port Allen, Louisiana, they were pulled over—ostensibly for a minor traffic violation—by a plain clothes officer, Defendant Officer William Allen Connelly (“Defendant Connelly”) of WBRSO.

9. After the routine tasks of the traffic stop were concluded, Defendant Connelly chose to continue the encounter, ordering Ms. Mills and Mr. Catchings out of the car. Defendant Connelly then ordered Mr. Catchings to “cuff up.” Terrified by Defendant

Connelly's needless escalation of the situation, Mr. Catchings felt defenseless and ran.

10. WBRSO deputies, including Defendant Officer John Gaudet ("Defendant Gaudet"), pursued Mr. Catchings to a nearby hotel. When Defendant Gaudet encountered Mr. Catchings in the hotel lobby, he initiated a brutal assault on Mr. Catchings, beating Mr. Catchings on the head with his fist and, moments later, the butt of his assault rifle.

11. In fear for his life, Mr. Catchings was able to escape the beating and flee from the hotel. He then surrendered to other officers, who promptly seized the approximately \$3,500 in cash from Mr. Catchings's pocket, which was later placed in forfeiture proceedings.

12. Mr. Catchings asked Defendant Officer John Doe 1 where Ms. Mills was. Defendant Doe 1 lied, stating, "She's dead because of you."

13. Mr. Catchings was then transported to a WBRSO building and, later that day, to the parish jail.

14. Meanwhile, at the site of the traffic stop, Defendant Connelly arrested Ms. Mills. Defendant Gaudet returned to Ms. Mills's car, and together, while Ms. Mills sat handcuffed on the side of the highway, Defendants Connelly and Gaudet searched the entire vehicle, including luggage in the trunk. As Defendants pilfered through items in the car, they mused aloud about how much money they could get for the couple's personal belongings.

15. During this time, Defendant Gaudet falsely told Ms. Mills that Mr. Catchings had been shot and killed. Hearing these false reports, Ms. Mills burst into tears, which were met only with further taunts.

16. Ms. Mills was then transported to the same WBRSO building, where officers continued baseless and warrantless searches of her possessions: rifling through her purse, running her validly issued credit and debit cards through a card reader, and coercing her into

unlocking her phone and laptop, which officers freely perused.

17. When Ms. Mills was finally released from custody, she asked if she could access her rental car. Defendants refused to return the car to Ms. Mills, telling her she could “walk home” to Mississippi.

18. For Ms. Mills and Mr. Catchings, what began as a traffic stop for an alleged improper lane change became a traumatic, life-altering ordeal. Ms. Mills and Mr. Catchings both suffer from severe emotional distress and anxiety, and they have lost thousands of dollars in fees and expenses.

19. Unfortunately, the harassment and violence that Ms. Mills and Mr. Catchings suffered at the hands of police is far from unique. For Black people in America, a routine traffic stop for a minor infraction too often becomes a nightmare in which police escalate the encounter and sometimes become violent.² These encounters with police are often financially devastating, especially when officers are incentivized to seize assets that will fund their law enforcement operations.

20. This case seeks to hold accountable the officers who violated Ms. Mills’s and Mr. Catchings’s constitutional rights, and to formally acknowledge that Ms. Mills and Mr.

² For a comprehensive list of studies and reports demonstrating racial bias in policing, see Rodney Balko, *There’s overwhelming evidence that the criminal justice system is racist. Here’s the proof.*, WASH. POST, June 10, 2020, <https://www.washingtonpost.com/graphics/2020/opinions/systemic-racism-police-evidence-criminal-justice-system/>; See also Report, *Racial Profiling in Louisiana: Unconstitutional and Unproductive*, SOUTHERN POVERTY L. CENT., Sept. 18, 2018, <https://www.splcenter.org/20180918/racial-profiling-louisiana-unconstitutional-and-counterproductive> (finding widespread evidence of racial profiling by law enforcement in Louisiana, including large racial disparities in arrest rates across the state that cannot be explained by differing rates of crime commission); Roland G. Fryer Jr., *An Empirical Analysis of Racial Differences in Police Use of Force*, 127 J. POLITICAL ECON. 1 (June 2019) (finding that Black and Hispanic people are “more than 50 percent more likely to experience some form of force in interactions with police”).

Catchings are deserving of dignity and constitutional treatment by those who wear a badge.

PARTIES

21. Plaintiff Mills is a resident of Jackson, Mississippi and a citizen of Mississippi.

22. Defendant Connelly is an officer with WBRSO acting and/or neglecting to act in the course and scope of his employment and under color of state law. He is a citizen of Louisiana. He is sued in his individual capacity.

23. Defendant Gaudet is an officer with WBRSO acting and/or neglecting to act in the course and scope of his employment and under color of state law. He is a citizen of Louisiana. He is sued in his individual capacity.

24. Defendant Sheriff Michael B. Cazes (“Defendant Sheriff Cazes”) is the Sheriff of West Baton Rouge Parish. Under the Louisiana Constitution, he is the chief law enforcement officer of the Parish and the political subdivision responsible for the policies and practices of WBRSO. The Sheriff of West Baton Rouge Parish is a constitutional office and political subdivision of the State of Louisiana and is a legal entity subject to suit. Defendant Sheriff Cazes is a citizen of Louisiana. He is sued in his official capacity.

25. On information and belief, Defendants John Does 1-10 (“Doe Defendants”) are employees of WBRSO, each acting and/or neglecting to act in the course and scope of his or her employment and under color of state law. Each is a citizen of Louisiana. Each is sued in his or her individual capacity.

JURISDICTION AND VENUE

26. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 and 1343 because the Plaintiff brings causes of action that arise under the Constitution and laws of the

United States, including 42 U.S.C. § 1983.

27. This Court also has diversity jurisdiction under 28 U.S.C. § 1332 over Plaintiff's state-law claims because the Plaintiff is a resident of a different state than the Defendants, and the amount in controversy on state-law claims exceeds \$75,000.³

28. If diversity jurisdiction is lacking, this Court has supplemental jurisdiction over Plaintiff's 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.

29. Venue is proper in the Middle District of Louisiana pursuant to 28 U.S.C. § 1391(b)(2), because the events giving rise to the Plaintiff Mills's causes of action occurred in the Middle District of Louisiana. Venue is also appropriate because, on information and belief, Defendants Connelly, Gaudet, and the Doe Defendants are residents of the Middle District of Louisiana, and the official-capacity defendants are officials of political subdivisions within the Middle District of Louisiana.

FACTUAL ALLEGATIONS

A. The Initial Traffic Stop

30. On March 26, 2021, Nia Mills and Cory Catchings were driving in a rented Ford Mustang from Jackson, Mississippi to Houston, Texas to purchase a used car. They had an

³ The parties previously stipulated to—and the Court ordered—the dismissal with prejudice of Defendant Matranga, ECF No. 125, therefore Plaintiff removed him from the First Amended Complaint. Plaintiff also voluntarily dismisses her Louisiana Public Records Act claim and voluntarily dismisses her claim against Defendant Simmers. ECF No. 105 at 6. Accordingly, Plaintiff removed Defendant Simmers and the Louisiana Public Records Act claim from the First Amended Complaint. Plaintiff's counsel conferred with Defendants' counsel regarding these issues, and Defendants consent to the dismissals and these changes.

appointment at a Houston dealership that evening.

31. Ms. Mills had rented the Mustang in her name.

32. Ms. Mills and Mr. Catchings planned to use their government stimulus payments to purchase the used car, and the couple carried approximately \$3,500 in cash to spend at the dealership.

33. Ms. Mills also brought a small purse that held her validly issued Mississippi driver's license, approximately six credit and debit cards, and Mr. Catchings's debit card. All of the credit and debit cards had either Ms. Mills's or Mr. Catchings's name on them.

34. As Ms. Mills drove through West Baton Rouge Parish on Interstate 10, she was pulled over by a white truck near Exit 151 (Port Allen).

35. Ms. Mills and Mr. Catchings waited in their parked car for several minutes before a white, plain clothes police officer finally approached.

36. The officer was Defendant Connelly of WBRSO. On information and belief, Defendant Connelly is a member of the River West Narcotics Task Force.

37. After some time, Defendant Connelly walked to the driver's side window and told Ms. Mills that he had pulled her over because her tire had improperly touched the yellow line.

38. Defendant Connelly also stated that there were a lot of drunk drivers in the area, and that he wanted to ensure that her car was not stolen. Ms. Mills informed him that the car was a rental. She took her driver's license from her small purse and gave it to Defendant Connelly, along with her rental car papers.

39. Ms. Mills and Mr. Catchings waited in the car while Defendant Connelly returned to his truck. After several more minutes, he came back to Ms. Mills's car and ordered her to

step out of the car so that he could “show her where the yellow line was.”

40. Ms. Mills did not understand why this would be necessary, but she nonetheless complied and exited the car. Defendant Connelly walked her to the back of the car and pointed out the yellow line on the highway.

41. Defendant Connelly never administered any field sobriety test on Ms. Mills.

42. Instead, after pointing out the yellow line on the highway, Defendant Connelly stated that Ms. Mills was “good to go.”

B. Defendant Connelly’s Prolonged Detention of Ms. Mills and Mr. Catchings

43. Despite this indication that the traffic stop was complete, Defendant Connelly then stated that he needed to see Mr. Catchings’s identification (“ID”) as well, even though Mr. Catchings was not driving.

44. Defendant Connelly instructed Ms. Mills to continue to stand behind the car.

45. Defendant Connelly approached the passenger-side window of the car and requested Mr. Catchings’s ID.

46. Unsure of where his ID was, and concerned for his safety if he moved to look for it, Mr. Catchings indicated to Defendant Connelly that he did not want to reach for his ID.

47. Defendant Connelly did not ask for Mr. Catchings’s name. Instead, he opened the car door and asked Mr. Catchings to step out of the car. Mr. Catchings complied, holding his cell phone in his hand.

48. Defendant Connelly walked Mr. Catchings to the back of the car. Mr. Catchings complied.

49. Defendant Connelly ordered Mr. Catchings to put his phone down on the car. Mr. Catchings complied.

50. To Mr. Catchings's surprise, Defendant Connelly then ordered Mr. Catchings to "cuff up." Mr. Catchings did not understand why he was being handcuffed, but he nevertheless began to comply, putting his hands behind his back.

51. Mr. Catchings could feel Defendant Connelly behind him. At the same time, Ms. Mills observed Defendant Connelly pressing a black object against Mr. Catchings's back.

52. As the encounter escalated, Mr. Catchings started to panic. Unsure of what Defendant Connelly would do next, and concerned for his safety, he took off running.

53. Ms. Mills immediately went to retrieve her cell phone from the car to record the encounter, but Defendant Connelly ordered her to stop, stating, "You didn't see anything. You were looking at traffic." Ms. Mills understood his statement to be an order to pretend that she had not seen how he had just treated Mr. Catchings.

54. Defendant Connelly then informed Ms. Mills that she was under arrest. He placed Ms. Mills in handcuffs.

55. When Ms. Mills asked why she was being placed under arrest, Defendant Connelly responded that it was "because he ran."

C. Defendant Gaudet's Beating of Mr. Catchings

56. Soon after Mr. Catchings fled, two more officers arrived, both of whom were also white: Defendant Gaudet and an additional back-up officer.

57. Defendant Gaudet and the other officer pursued Mr. Catchings, while Defendant Connelly remained with Ms. Mills beside the parked vehicles.

58. Mr. Catchings ran to the front lobby of the nearby Hampton Inn.

59. Crossing the lobby, he entered a stairwell and ran upstairs. Looking out of a window, he could see that at least one police vehicle was circling the hotel.

60. Fearing for his life, but realizing he was trapped inside the hotel, Mr. Catchings decided to surrender to the police.

61. He rode the elevator down to the lobby.

62. When the elevator doors opened, Defendant Gaudet was standing immediately in front of the doors, holding an assault rifle.

63. Defendant Gaudet immediately stepped into the elevator, blocking the doors from closing. Terrified, Mr. Catchings put his hands up in the air.

64. Defendant Gaudet grabbed Mr. Catchings by the front of his shirt and pulled him out of the elevator. Positioning himself behind Mr. Catchings, Defendant Gaudet did not attempt to handcuff Mr. Catchings. Instead, he immediately began a vicious beating.

65. Defendant Gaudet delivered at least five closed fist blows to Mr. Catchings's head.

66. Due to his recent brain surgery, Mr. Catchings was terrified that the blows to his head would create a brain bleed. Amid the chaos, he pleaded for Defendant Gaudet to stop, repeatedly calling out that he had a brain injury.

67. In response, Defendant Gaudet only escalated the beating. With knowledge that Mr. Catchings was recovering from a traumatic brain injury, Defendant Gaudet began repeatedly striking Mr. Catchings in the head with the butt of his rifle.

68. Defendant Gaudet hit Mr. Catchings in the head with the butt of his rifle at least five times, in quick succession.

69. By this point, Mr. Catchings was afraid Defendant Gaudet might kill him. Desperate to escape Defendant Gaudet's attack, he managed to get to his feet and run toward the lobby's rear door.

70. Upon information and belief, as Mr. Catchings stood up to escape the beating, Defendant Gaudet fell backwards, dropping his weapon.

71. Terrified that Defendant Gaudet would pick up the assault rifle and shoot him in the back, Mr. Catchings ran out of the hotel.

D. Defendants' Arrest of Mr. Catchings and Seizure of Cash

72. Once out of the hotel, Mr. Catchings ran across the street into a nearby drainage ditch.

73. Several officers, including Defendant John Doe 1 ("Defendant Doe 1"), pursued Mr. Catchings with their weapons drawn.

74. Standing in the drainage ditch, Mr. Catchings decided to surrender. He started climbing out of the drainage ditch toward the officers, who pulled Mr. Catchings up onto level ground. Mr. Catchings laid face-down in the grass, with an officer's knee in his back.

75. Defendant Doe 1 immediately recovered about \$3,500 in cash from Mr. Catchings's pocket—the money Mr. Catchings and Ms. Mills had intended to go toward purchasing a used car.

76. Mr. Catchings had no weapons or contraband.

77. While Mr. Catchings lay on the ground as he was handcuffed and searched, he looked for Ms. Mills and did not see her nearby. Worried, he asked Defendant Doe 1 where Ms. Mills was.

78. Defendant Doe 1 lied to Mr. Catchings, replying, "she's dead because of you."

79. Mr. Catchings was stunned. In a state of disbelief, he wondered whether Defendant Doe 1 was lying to provoke him, or whether Defendant Doe 1 could possibly be telling the truth—that officers had killed the mother of his child.

80. Defendant Doe 1 did not correct himself. Eventually, another officer transported Mr. Catchings to the WBRSO building.

81. Mr. Catchings informed the transporting officer that he was recovering from a recent brain surgery, which the two discussed. Mr. Catchings also showed the transporting officer the scars that surgery had left on his head.

82. Mr. Catchings did not know for sure whether Ms. Mills was alive or dead until after he arrived at the WBRSO building, when he heard Ms. Mills's voice.

E. Defendants' Search of Ms. Mills's Car

83. While officers pursued Mr. Catchings, Defendant Connelly continued to detain Ms. Mills on the side of the highway by Exit 151.

84. After approximately 15-20 minutes, Defendant Gaudet returned to the scene of the initial traffic stop. Together, he and Defendant Connelly began to search Ms. Mills's rental car while Ms. Mills was forced to sit on the ground several feet away with her wrists bound in handcuffs.

85. Neither Ms. Mills nor Mr. Catchings ever gave consent to the officers to search their vehicle.

86. Defendants Connelly and Gaudet rummaged through the entire vehicle and its contents, opening closed bags and luggage stored in the trunk. As they did this, they joked and laughed about stealing what they found, asking each other how much money they could get for Mr. Catchings's shoes and whether any of the items would fit one of their sons. The Defendants made these comments loudly, as though they wanted Ms. Mills to hear or did not care that she did. During the search, Ms. Mills heard the Defendants state that they had found marijuana.

87. During this time, Ms. Mills continued to ask Defendants Connelly and Gaudet why she was under arrest. Defendant Gaudet replied that she was under arrest “for you being you.”

88. Defendant Gaudet then told Ms. Mills that he had shot and killed Mr. Catchings.

89. Ms. Mills immediately became very upset upon hearing that Mr. Catchings had been killed. After Ms. Mills began crying, Defendant Gaudet told her that in truth, he had not shot Mr. Catchings, but that he “wished [he] had.”

90. Defendant Gaudet also told Ms. Mills that Mr. Catchings “isn’t gonna look much like a boyfriend when you see him again.” Ms. Mills understood this comment to mean Defendant Gaudet had severely beaten Mr. Catchings.

91. At some point, another officer drove up to the scene. That officer was Black.

92. That officer transported Ms. Mills to the WBRSO building.

93. As Ms. Mills was being transported from the scene of the traffic stop, she saw a tow truck arrive to tow her rental car. Defendants never asked Ms. Mills whether she consented to the tow or whether there was another individual who could take possession of the car for her.

94. On information and belief, the rental car was towed to the WBRSO building.

95. During the drive to the WBRSO building, Ms. Mills cried and told the transporting officer about Defendant Gaudet’s statement that she was arrested “for you being you.” The transporting officer responded that Ms. Mills should not have rented a Mustang, but instead should have chosen a less flashy car such as a Hyundai Sonata. When Ms. Mills told the transporting officer that Defendants Connelly and Gaudet said they found marijuana in the car, the transporting officer said “*Allegedly.*”

F. Defendants Hold Ms. Mills and Mr. Catchings in Custody

96. After Mr. Catchings arrived at the WBRSO building, he asked for an attorney. Officers ignored him and placed him in a small room. He was not allowed a phone call.

97. Ms. Mills arrived at the station around the same time. Defendant Connelly handcuffed Ms. Mills to a bench in the hallway and ordered her to be quiet, telling her that if she “talked,” she would “go to prison.”

98. Ms. Mills also asked for an attorney at this time, but the officers did not respond.

99. At times, Ms. Mills and Mr. Catchings could hear each other from their respective locations in the building. Each could hear the other crying. At one point, Mr. Catchings tried to call out to Ms. Mills, to explain what had happened to him, but Defendant Connelly violently hit the door and instructed him to “shut up.”

100. Both Mr. Catchings and Ms. Mills could also overhear officers talking to each other.

101. From inside the room, Mr. Catchings heard an officer tell Defendant Gaudet that he “should not have hit [Mr. Catchings] in the head with the gun like that.”

102. From the hallway, Ms. Mills could overhear Defendants Connelly and Gaudet conversing with at least three other officers in the room next to her.

103. Ms. Mills could hear Defendant Gaudet excitedly telling the other officers about his encounter with Mr. Catchings. Defendant Gaudet mentioned something about finally getting shoulder surgery, joking that he would no longer have to lie at work about how he injured his shoulder.

G. Defendants’ Search of Ms. Mills’s Purse, Cards, and Electronic Devices

104. While Ms. Mills was seated in the hallway, she could see that Defendants had

removed her credit and debit cards from her purse and appeared to be running each card through a card reader.

105. One of Ms. Mills's cards was a Cash App card. That card was linked to Ms. Mills's Cash App account, an FDIC insured account which can be used for savings, investments, building credit, and money management.

106. Because her cards had been in her purse, which she had left in the car, Ms. Mills understood that Defendants had seized her purse and rifled through its contents in order to take whatever money she had.

107. Indeed, Ms. Mills could hear the Defendants discussing the balance in her accounts, expressing frustration that there was no money to be withdrawn. One stated that it was okay the cards had no money because WBRSO was "ten bands up for the week." On information and belief, "ten bands" referred to ten thousand dollars.

108. Growing increasingly frustrated, Ms. Mills told the officers that what was happening was illegal. In response, Defendant Connelly told her that she "didn't have any rights" because she "wasn't born here." After this exchange, an officer closed the door to the room that Defendants were inside.

109. Ms. Mills is a citizen of the United States. She was born in Switzerland while her father was serving in the U.S. military.

110. After some time, Defendants brought Ms. Mills into the room with them.

111. Inside the room, Ms. Mills immediately saw Mr. Catchings on a video feed. Concerned for Mr. Catchings's safety, she desperately explained to Defendants that Mr. Catchings had recently suffered a traumatic brain injury. The Defendants gave no response, except to say that it was not Mr. Catchings that she should be worried about, but Defendant

Gaudet, because Defendant Gaudet had been forced to run.

112. Defendant Connelly wrote Ms. Mills a summons for the alleged traffic violations and misdemeanor possession of marijuana.

113. Defendant Connelly then informed Ms. Mills that she was free to go—however, she would not be allowed to leave the station with her cell phone and laptop, which were seized from her car, unless she granted him consent to search those items.

114. As a Black woman, alone and surrounded by male officers, Ms. Mills felt unsafe and uncomfortable, particularly in light of the comments being made by the Defendants and their refusal to let her speak to an attorney.

115. Seeing no other option other than to relent to their coercion, Ms. Mills told Defendant Connelly that he could search her cell phone and laptop. Defendants Connelly, Gaudet, and Doe Defendants looked through her texts, photos, emails, and other phone applications for about 20 minutes. As they did so, they joked and laughed about the private contents of the phone, speaking loudly. On information and belief, Defendants intended for Ms. Mills to hear them or did not care that she did.

116. After searching Ms. Mills's cell phone and laptop, Defendant Connelly and the Doe Defendants also searched Mr. Catchings's cell phone without his consent.

117. When the search was complete, Defendant Connelly returned Ms. Mills's items to her, making a comment to the effect of: "See? We're not so bad."

118. This is not the first time that WBRSO officers have been accused of confiscating and searching a cell phone unlawfully and without consent. In 2021, a woman accused a WBRSO officer of forcefully removing her phone from her hands while she attempted to record her son's arrest. WBRSO kept the phone for four days and deleted the recordings she

had taken. On information and belief, Defendant Connelly was among the officers involved. *See* Compl., *Wright v. Cazes*, No. 3:21-cv-00410-JWD-RLB (M.D. La. June 16, 2021).

119. After receiving her phone and computer, Ms. Mills asked Defendant Connelly if she could have the rental car to drive home.

120. Defendant Connelly refused, telling Ms. Mills she could “walk home” to Mississippi. Shortly after, he yelled at Ms. Mills to “get the fuck out” of the station.

121. Defendants never asked Ms. Mills if the car could be remanded to the custody of another driver.

122. Defendants retained the keys to the rental car.

123. Ms. Mills left the building. Stranded without a vehicle in a state where she did not reside, Ms. Mills used her cell phone to order an Uber home to Jackson, Mississippi. The ride cost her over \$200.

124. After Ms. Mills’s encounter with Defendants, she checked her Cash App account. It showed two attempted withdrawals by “Lea Balance Check Erad”—one for \$5,000 and another for \$1,000.

125. For each attempted withdrawal conducted by the Defendants, Ms. Mills’s Cash App account stated: “This payment was declined because you don’t have enough cash available.”

126. On information and belief, “Erad” refers to Electronic Recovery and Access to Data (“ERAD”), a cloud-based platform enabling inventory and analytics on plastic cards seized by law enforcement.

127. ERAD enables law enforcement agencies to pursue searches of credit, debit, or gift cards lawfully seized from individuals suspected of financial fraud by viewing cards’

associated cardholder information, expiration data and, for gift cards and prepaid cards, by viewing the balance of that card for any indication that the card has been altered. Upon information and belief, ERAD also enables law enforcement to freeze and later seize, by transfer, any funds on those cards which were suspected of or proven to be part of a financial crime.

128. There was no reason to believe Ms. Mills was involved in any financial crime during any point of her encounter with Defendants.

129. In the days after her return to Mississippi, Ms. Mills called WBRSO to ask about getting the rental car out of Sheriff's Office custody. She was told the car could not be released.

H. Aftermath of the Incident

130. The financial and emotional consequences of Defendants' treatment of Ms. Mills and Mr. Catchings were significant.

131. In addition to the cost of traveling home to Jackson, Ms. Mills was ultimately charged thousands of dollars in daily fees by the rental car agency for the period of time that the rental car was impounded.

132. Later, Ms. Mills had to borrow Mr. Catchings's grandmother's car and pay for enough gas for a round trip to West Baton Rouge Parish to collect the items that had been left in the impounded car, such as shoes and clothing.

133. Defendants never returned Ms. Mills's credit and debit cards to her. Ms. Mills had to obtain new cards for each account.

134. In the months following the encounter, parish prosecutors-initiated forfeiture proceedings against the approximately \$3,500 in cash that Mr. Catchings had been carrying.

To date, that forfeiture case remains pending.

135. Ms. Mills made an additional trip to West Baton Rouge Parish to appear in court pursuant to the criminal summons she was issued. The court informed her that she had no charges pending and did not instruct her to return to court again.

136. Ms. Mills and Mr. Catchings suffer lasting mental anguish and emotional distress resulting from this incident, including sadness, outrage, anxiety, and frustration stemming from the mistreatment they suffered from law enforcement.

I. Mr. Catchings's Delay in Filing Constitutional Claims

137. Following his detention at the WBRSO building, Mr. Catchings was transported to the West Baton Rouge Parish Detention Center.

138. For the next several hours, Mr. Catchings continued to suffer head pain, dizziness, and blurred vision, and was concerned that he might have another brain bleed like the one that had recently required two brain surgeries to treat. He begged to be taken to the hospital for evaluation, but his pleas were ignored until the next day, when he nearly fainted while in Sheriff's Office custody.

139. Mr. Catchings was transported to the emergency room twice in the three days following his arrest, first for a near-fainting episode, and again the next day after losing consciousness.

140. For the first sixty-six days of his incarceration at the West Baton Rouge Detention Center, Mr. Catchings was placed in isolation, ostensibly to protect his head from further injury.

141. While in isolation, Mr. Catchings was alone in a cell for twenty-three hours and thirty-five minutes every day.

142. For two months, Mr. Catchings was only allowed to leave his cell for twenty-five minutes each day. This was also the only allotted time for showers, visits to the communication kiosk, and calls with family or counsel.

143. Mr. Catchings longed to be at home with his family, where he could access adequate neurological care and begin healing emotionally from the trauma Defendants inflicted. However, he could not afford to post bail.

144. After the District Attorney for West Baton Rouge Parish formally filed charges against him on April 27, 2021, Mr. Catchings's criminal proceedings moved slowly. Although Mr. Catchings desperately wanted to file a lawsuit against Defendants for their violation of his civil rights, he was seriously concerned about doing so while his criminal case was pending and while he remained in Sheriff's Office custody. Incarcerated in West Baton Rouge Parish Detention Center, his criminal proceedings languishing, Mr. Catchings feared that his inclusion in a civil lawsuit against the Sheriff's Office and its deputies would subject him to retaliation by the Prosecution or other negative repercussions.

145. Nearly two years after his arrest, on February 10, 2023, Mr. Catchings pled no contest to Disarming of a Police Officer and Resisting an Officer. His remaining charges, including the marijuana possession, were dropped.

146. Due to Mr. Catchings's fear of retaliation in his criminal proceedings, his incarceration in custody of the defendant entity, and his health concerns, Louisiana's unduly restrictive one-year prescription period served to violate Mr. Catchings's right to petition under the First Amendment of the U.S. Constitution. Mr. Catchings is now forced to file his constitutional claims outside of the one-year statute of limitations for § 1983 causes of action.

147. In any event, Mr. Catchings's constitutional claims should be subject to tolling under Louisiana's *contra non valentem* doctrine and are not time barred for the same reasons (fear of retaliation, incarcerated status, and ongoing health issues) stated above.

J. Defendant Gaudet's Documented History of Violence

148. In 2007, Defendant Gaudet shot and killed 28-year-old Kenny Miller, an unarmed Black man, in Iberville Parish while on duty as a Sheriff's Deputy.

149. Defendant Gaudet was conducting a routine traffic stop for speeding when he decided to question Mr. Miller, the passenger of the vehicle. This stop tragically resulted in Defendant Gaudet's use of deadly force on Mr. Miller.

150. In 2016, Defendant Gaudet was arrested for punching his wife in the face.

151. Defendant Gaudet's wife alleged that he punched her in the face and physically assaulted her during an argument. She dialed 911, and Defendant Gaudet was charged with one count of domestic abuse battery.

152. Iberville Parish Sheriff Brett Stassi stated that Defendant Gaudet's wife had "a bruised eye and marks all over her body."

153. Defendant Gaudet was fired from the Iberville Parish Sheriff's Office as a result of this incident, after 15 years on the force.

154. In his letter of dismissal, Iberville Sheriff Brett Stassi referenced Defendant Gaudet's past conduct and "disciplinary problems," which included, among other things, suspensions related to a 2004 DWI charge, a 2005 charge of Disturbing the Peace while "highly intoxicated," and a 2015 incident in which Defendant Gaudet failed to turn in evidence from an arrest. The letter also acknowledged that the 2016 domestic abuse incident was not the first time he had been accused of physical abuse against his then-wife.

155. Despite this extensive history, WBRSO hired Defendant Gaudet to be an officer.

K. WBRSO's Deliberate Indifference to Conducting Unlawful Searches and Seizures

156. WBRSO officers are incentivized to police for profit.

157. Under Louisiana's asset forfeiture system, when a law enforcement agency seizes cash and other assets from people like Ms. Mills and Mr. Catchings, the agency receives 60% of the value of any property adjudged to be forfeited. The remainder of the property's value goes to the District Attorney and the parish's criminal court fund, providing an institutional interest for each participant in the process to forfeit the property.

158. In recent years, WBRSO has received well over \$2,000,000 from asset forfeiture. WBRSO uses forfeiture revenue for department operations, such as the construction of a Fitness Wellness Center for deputies.

159. Forfeiture revenue also funds narcotics interdiction in the Parish, providing an incentive for Narcotics Task Force members like Defendant Connelly to unjustly treat people like Ms. Mills and Mr. Catchings as drug traffickers whose property is subject to forfeiture.

160. Defendants' treatment of Ms. Mills and Mr. Catchings makes clear WBRSO deputies can and do use their position of authority to conduct warrantless, baseless searches for anything of value and seize anything that could conceivably be used to enrich the department. Here, despite no evidence that Ms. Mills or Mr. Catchings were trafficking drugs, Defendants seized all the cash the couple carried. They seized all of Ms. Mills's and Mr. Catchings's validly issued debit and credit cards. They even seized the Mustang that Ms. Mills had been driving.

161. Throughout their encounter with Ms. Mills and Mr. Catchings, WBRSO officers displayed a cavalier attitude towards their extensive and unreasonable searches and seizures,

showing no concern that their misconduct would be noticed or disciplined. This attitude evinces an organizational culture that either encourages or tolerates unlawful searches and seizures incentivized by profit.

162. While conducting the illegal search of Ms. Mills's car, Defendants loudly commented and joked about converting Plaintiff Mills's personal property to their own use.

163. While attempting to seize funds off Ms. Mills's cards, Defendants openly lamented the lack of money available in Ms. Mills's accounts.

164. While conducting the illegal and intrusive search of Ms. Mills's cell phone and laptop, Defendants ridiculed photographs and other private content, again showing no concern that Ms. Mills or anyone in the building could hear them.

165. WBRSO's culture of impunity is further evidenced by the refusal to implement police-worn body cameras or dashboard cameras that could be used to monitor or discipline misconduct. Such cameras are widely recognized by peer law enforcement agencies in Louisiana (such as the Baton Rouge Police Department and the East Baton Rouge Parish Sheriff's Office) and across the nation as a necessary tool both to supervise deputies and to build trust with the public.

166. WBRSO has cited privacy and security concerns as a rationale for refusing to implement body or dashboard cameras. Despite this supposed concern for privacy, WBRSO has frequently allowed television cameras to follow them on patrols for the A&E series, *LivePD*.

167. WBRSO's pervasive culture of indifference towards their constitutional duties is further demonstrated by their refusal to produce documents that are subject to public record, particularly records relating to internal policies and disciplinary records, as detailed below.

168. Taken together, the preceding facts demonstrate that WBRSO operates with a culture of deliberate indifference towards the Fourth Amendment rights of the people they police.

L. Public Records Requests on Behalf of Plaintiff

169. On behalf of Ms. Mills and Mr. Catchings, the ACLU of Louisiana and the Social Justice Legal Foundation submitted a series of public records requests to WBRSO seeking records and information regarding the March 26, 2021 incident.

170. In response, Defendant Sheriff Cazes and Defendant Simmers have unlawfully resisted their statutory obligation to timely respond to public information requests. When they eventually did respond, they did so with incomplete and inadequate information.

171. In particular, in the course of five months, Defendants failed to produce requested records regarding investigation and discipline of officers involved in the March 26 incident, as well as documents regarding use of force by department officers.

Request 1 (On Behalf of Ms. Mills)

172. The ACLU of Louisiana submitted a formal, written public records request on behalf of Ms. Mills on October 1, 2021 (“Request 1”). *See* Ex. A (attaching Request 1).

173. On November 2, 2021, more than a month after Request 1 was submitted, Defendant Simmers responded via email, simply confirming receipt of the request and claiming that he was “working on” the request.

174. The ACLU of Louisiana responded by requesting an estimated date by which they could expect a response. Defendant Simmers estimated “at least 5 business days,” claiming that he was experiencing “computer difficulties” that should be “resolved sometime [that day].”

175. After five days there was still no response. On November 10, 2021, the ACLU of Louisiana sent another written follow-up via email. Defendant Simmers stated that they were “still having computer issues” and he could not provide a date by which he would produce the documents. He further stated that it would take “some time” to respond to the requests.

176. Finally, on November 22, 2021, Defendant Simmers provided some responsive documents. However, his response was incomplete.

177. In response to requests for records regarding investigations and discipline of officers involved in the March 26 incident (Request 1: #8 and #9), Defendant Simmers responded, “As asked this information is not subject to public record.”

178. In response to requests for records regarding complaints against officers for use of force, department policies for investigating complaints for use of force, and department policies for use of force (Request 1: #12, #18, and #19), Defendant Simmers responded, “Waiting for response from Internal Affairs Commander.”

179. The Social Justice Legal Foundation submitted a deficiency letter as to Request 1 on December 17, 2021.

180. On January 3, 2022, Defendant Simmers responded via email addressing some of the deficiencies for Request 1. Defendant Simmers stated that, with respect to Request 1: #12, #18, and #19, the Internal Affairs Captain still needed “some time” to produce documents.

181. On February 14, 2022, Plaintiff’s counsel submitted an additional deficiency letter.

182. On February 18, 2022, Defendant Simmers provided the name of the Internal Affairs Captain that he claimed was the proper records custodian for Internal Affairs

documents: Captain Kenneth Young.

183. On March 3, 2022, Plaintiff's counsel followed up via email with Captain Kenneth Young.

184. Plaintiff's counsel did not receive a response from Captain Kenneth Young.

Request 2 (On Behalf of Mr. Catchings)

185. On December 10, 2021, the Social Justice Legal Foundation submitted a formal, written public records request on behalf of Mr. Catchings. *See* Ex. B (attaching Request 2).

186. Again, the request sought records regarding investigations and discipline of officers involved in the March 26 incident (Request 2: #9 and #10).

187. On January 13, 2022, Defendant Simmers stated that the office was "in the process of compiling the requested information" responsive to Request 2: #10.

188. Plaintiff's counsel did not receive records responsive to Request 2: #10.

Request 3 (On Behalf of Ms. Mills and Mr. Catchings)

189. On February 7, 2022, the Social Justice Legal Foundation submitted a third, formal written public records request on behalf of both Ms. Mills and Mr. Catchings ("Request 3"). *See* Ex. C (attaching Request 3).

190. To date, no response has been received.

CLAIMS

COUNT ONE

42 U.S.C. § 1983 (Fourth Amendment)

Unlawfully Prolonged Detention

(By Plaintiff Mills Against Defendant Connelly)

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

192. After Defendant Connelly showed Plaintiff Mills the yellow line that her tire had allegedly touched, he completed the stated mission for the traffic stop, as reflected by his statement that she was “good to go.” He had no basis for any reasonable suspicion of criminal activity, let alone probable cause, to justify prolonging her detention.

193. Defendant Connelly nonetheless continued to detain Plaintiff Mills.

194. At the time Defendant Connelly impermissibly extended the detention, he was operating under color of state law.

195. By prolonging the stop after its mission had concluded, without reasonable suspicion or probable cause, Defendant Connelly violated Plaintiff Mills’s Fourth Amendment right to be free from unreasonable seizure.

196. As a direct and proximate result of Defendant Connelly’s conduct as set forth above, Plaintiff Mills has suffered and continues to suffer embarrassment, humiliation, pain, and suffering.

COUNT TWO
42 U.S.C. § 1983 (Fourth Amendment)
Unreasonable Search of Car
(By Plaintiff Mills Against Defendant Connelly, Defendant Gaudet, and Doe Defendants 2-10)

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

198. Plaintiff Mills had a reasonable expectation of privacy as to the rental car and its contents, including closed containers in the trunk.

199. Defendants did not possess a lawfully issued warrant to search the car.

200. Defendants did not possess probable cause, arguable probable cause, or reasonable suspicion sufficient to justify a warrantless search of the car.

201. Plaintiff never gave consent to search the car.

202. No other exception to the warrant requirement under the Fourth Amendment justified a search of the car.

203. When they searched the car, Defendants were acting under color of state law.

204. Plaintiff Mills was harmed by Defendants' search of her personal property in violation of her Fourth Amendment rights.

205. As a direct and proximate result of the Defendants' conduct as set forth above, Plaintiff Mills suffered interference with her personal property and suffered and continues to suffer embarrassment, humiliation, pain, and suffering.

COUNT THREE
42 U.S.C. § 1983 (Fourth Amendment)
Unreasonable Search of Purse
(By Plaintiff Mills Against Defendant Connelly, Defendant Gaudet, and Doe Defendants 2-10)

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

207. Plaintiff Mills had a reasonable expectation of privacy as to her purse and the contents therein.

208. Defendants did not possess a lawfully issued warrant to seize or search her purse.

209. Defendants did not possess probable cause, arguable probable cause, or reasonable suspicion sufficient to justify a seizure of or the warrantless search of Plaintiff Mills's purse or the contents therein.

210. Plaintiff Mills did not give consent for a search of her purse.

211. No other exception to the warrant requirement under the Fourth Amendment justified a search of her purse.

212. When they searched Plaintiff Mills's purse, Defendants were acting under color of state law.

213. Plaintiff Mills was harmed by Defendants' search of her personal property in violation of her Fourth Amendment rights.

214. As a direct and proximate result of the Defendants' conduct as set forth above, Plaintiff Mills suffered interference with her personal property and suffered and continues to suffer embarrassment, humiliation, pain, and suffering.

COUNT FOUR
42 U.S.C. § 1983 (Fourth Amendment)
Unreasonable Search of Cash App Account
(By Plaintiff Mills Against Defendant Connelly, Defendant Gaudet, and Doe Defendants 2-10)

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

216. Defendants did not possess a lawfully issued warrant to seize Plaintiff Mills's Cash App card or search Plaintiff Mills's Cash App account.

217. Defendants did not possess probable cause, arguable probable cause, or reasonable suspicion sufficient to justify a seizure of Plaintiff Mills's Cash App card or warrantless search of Plaintiff Mills's Cash App account.

218. Plaintiff Mills never gave consent to seize her Cash App card or search her Cash App account.

219. No other exception to the warrant requirement under the Fourth Amendment justified a seizure of Plaintiff Mills's Cash App card or search of her Cash App account.

220. When they conducted a warrantless seizure, without probable cause and without consent, of Plaintiff Mills's Cash App card, including the search thereof and attempted

seizure of Plaintiff Mills's Cash App savings balance, Defendants were acting under color of state law.

221. Plaintiff Mills was harmed by the Defendants' search of her personal property in violation of her Fourth Amendment rights.

222. As a direct and proximate result of the Defendants' conduct as set forth above, Plaintiff Mills suffered interference with her personal property and suffered and continues to suffer embarrassment, humiliation, pain, and suffering.

COUNT FIVE
42 U.S.C. § 1983 (Fourth Amendment)
Unreasonable Search of Phone and Computer
(By Plaintiff Mills Against Defendant Connelly, Defendant Gaudet, and Doe Defendants 2-10)

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

224. Defendants Connelly, Gaudet, and Doe Defendants 2-10 conspired together to coerce Plaintiff Mills to give consent to search her phone and computer and to conduct the search. Accordingly, they are liable jointly, solidarity, and *in solido* for the conduct set forth below.

225. Plaintiff Mills had a reasonable expectation of privacy in the contents of her cell phone and laptop.

226. The immense storage capacity of modern cell phones implicates serious privacy concerns, and law enforcement is forbidden from searching the digital information stored on a cell phone as a search incident to arrest.

227. There was no legal basis or justification for the search of Plaintiff Mills's cell phone or laptop, and she did not give voluntary consent to the search. She was forced to give consent to search the phone and laptop under duress.

228. Had she been given any meaningful choice, or the opportunity to speak to an attorney as she requested, Plaintiff Mills would not have consented to such an invasive search and would have kept her information private.

229. Defendants' searches of the cell phone and laptop were not brief or minimally intrusive. Defendants searched the items at length, scrolling through Plaintiff Mills's photos, videos, and applications, and ridiculing them for 15 to 20 minutes.

230. At the time Defendants impermissibly searched Plaintiff Mills's phone and laptop, they were operating under color of state law.

231. Plaintiff Mills was harmed by the Defendants' search of her private information in callous disregard of her Fourth Amendment rights.

232. As a direct and proximate result of Defendants' conduct as set forth above, Plaintiff Mills suffered interference with her personal property and suffered and continues to suffer embarrassment, humiliation, pain, and suffering.

COUNT SIX

La. Const. Art. I § 5 and La. Civ. Code Art. 2315

Invasion of Privacy

(By Plaintiff Mills Against Defendant Connelly, Defendant Gaudet, Doe Defendants 2-10, and Defendant Sheriff Cazes)

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

234. The Louisiana Constitution provides an express right of every person to be “secure in his person, property, communications, houses, papers, and effects” against unreasonable invasions of privacy.

235. Louisiana courts have expressly recognized a civil cause of action for invasion of privacy. An actionable invasion of privacy occurs when the Defendant’s conduct is unreasonable and seriously interferes with the plaintiff’s privacy interest.

236. Plaintiff Mills had a privacy interest in the contents of her cell phone and laptop. Courts have recognized the immense storage capacity of digital devices, and an accordingly heightened privacy interest in their contents.

237. Plaintiff Mills did not give voluntary consent to search the contents of her cell phone or laptop.

238. Defendants intentionally and unreasonably intruded upon Plaintiff Mills’s privacy interest by conducting a thorough search of her cell phone, including looking at the photos in her camera roll and commenting on what they saw. This was a serious intrusion.

239. Plaintiff Mills’s privacy interests in the contents of her devices outweighs the interest of Defendants in looking through the devices without a lawful justification for doing so.

240. Defendants Connelly, Gaudet, and Doe Defendants 2-10 acted in the course and scope of their employment, and their conduct occurred on WBRSO premises and during their hours of employment.

241. Defendant Sheriff Cazes is vicariously liable for the invasion of Plaintiff Mills's privacy by WBRSO officers, pursuant to La. Civ. Code Art. 2320.

242. As a direct and proximate result of Defendants' conduct as set forth above, Plaintiff Mills experienced embarrassment, humiliation, pain, and suffering.

COUNT SEVEN
42 U.S.C. § 1983 (Fourth Amendment)
Unreasonable Seizure of Car
(By Plaintiff Mills Against Defendant Connelly and Doe Defendants 2-10)

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

244. Defendants' impounding of Plaintiff Mills's rental car was a seizure of property in which she had a valid possessory interest.

245. Defendants had no lawful basis on which to impound Plaintiff Mills's rental car.

246. Plaintiff Mills had a valid driver's license. She was not intoxicated, nor did she pose any danger to public safety, at any time before, during, or after her arrest or release from custody.

247. The rental car was not seized as evidence. It was neither involved in a crime nor was any forensic work on the car necessary.

248. The rental car was not seized pursuant to forfeiture.

249. At the time Defendants impermissibly seized Plaintiff Mills's rental car, they were operating under color of state law.

250. Plaintiff Mills was harmed by the Defendants' seizure of her car, in violation of her Fourth Amendment right to be free from unlawful seizures.

251. As a result of Defendants' actions set forth above, Plaintiff Mills suffered interference with her personal property and suffered and continues to suffer embarrassment, humiliation, pain, and suffering. Plaintiff Mills also incurred thousands of dollars in late fees from the car rental agency, costs to return to Mississippi, and costs to retrieve her belongings from Louisiana.

COUNT EIGHT
Conversion (Common Law)
(By Plaintiff Mills Against Defendant Connelly, Doe Defendants 2-10, and Defendant Sheriff Cazes)

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

253. Plaintiff Mills was in lawful possession of a rental car, for which she paid a daily rental fee, and depended on such for her transportation home to Mississippi.

254. Defendants knowingly took possession of Plaintiff Mills's rental car, assumed authority over the car by knowingly refusing to allow her to retake possession after her release from custody, and continued to deprive her of possession of the car for the duration of its unlawful impoundment.

255. Defendants did not release the impounded vehicle pursuant to La. Rev. Stat. § 32:472, nor release it following a criminal investigation pursuant to La. Rev. Stat. § 15.41.

256. Defendant Connelly and Doe Defendants 2-10 acted in the course and scope of their employment, and their conduct occurred on WBRSO premises and during their hours of employment.

257. Defendant Sheriff Cazes is vicariously liable for the conversion of Plaintiff Mills's rental car by WBRSO officers, pursuant to La. Civ. Code Art. 2320.

258. As a result of Defendants' tortious conversion of Plaintiff Mills's rental car, Plaintiff Mills incurred significant expenses both in rental car and impoundment fees paid to Hertz as well as expenses arranging for her safe transport back to Mississippi.

COUNT NINE
42 U.S.C. § 1983 (Fourth Amendment)
Unlawful Seizure of Approximately \$3,500 in Cash
(By Plaintiff Mills Against Defendant Connelly and Doe Defendants 1-10)

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

260. Louisiana's asset forfeiture law, La. Rev. Stat. § 14:2601 *et seq.*, establishes when property is subject to seizure and forfeiture, including property furnished or intended to be furnished in exchange for a controlled substance, property used or intended to be used in any manner to facilitate conduct giving rise to forfeiture, or proceeds of conduct giving rise to forfeiture.

261. Apart from Defendants' alleged recovery of a small quantity of marijuana (consistent with personal use) in Plaintiff Mills's car, Defendants did not recover any contraband or evidence of criminal activity from Plaintiff Mills's person, her personal possessions, or the rental car.

262. Defendants did not have probable cause to believe that the approximately \$3,500 was subject to seizure and forfeiture as provided in La. Rev. Stat. § 14:2601 *et seq.*

263. At the time Defendants impermissibly seized Plaintiff Mills's cash, they were operating under color of state law.

264. Defendants' seizure of approximately \$3,500 in cash violated Plaintiff Mills's Fourth Amendment rights to be free from unlawful seizures.

265. As a result of Defendants' actions set forth above, Plaintiff Mills suffered interference with her personal property, including the inability to use her and her partner's stimulus payments and combined savings pending outcome of the forfeiture case.

COUNT TEN
42 U.S.C. § 1983 (Fourth Amendment *Monell*)
Unlawful Searches and Seizures
(By Plaintiff Mills Against Defendant Sheriff Cazes)

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

267. Defendant Sheriff Cazes, in his official capacity, is the political subdivision with authority to supervise officers for WBRSO. Defendant Cazes, as Sheriff, is the final policymaker. In that role, he has developed and maintained the policies, customs, and practices which proximately caused the violations of Plaintiff Mills's rights as described here and the resulting damages suffered.

268. WBRSO officers' treatment of Plaintiff Mills displayed a cavalier disregard for her Fourth Amendment right to be free from unreasonable search and seizure.

269. On information and belief, this disregard stems from a culture of aggressive search and seizure of drivers and their property, beyond the boundaries of constitutional policing.

270. On information and belief, this culture results from the failure of Defendant Sheriff Cazes to supervise officers as to their clear constitutional duty to not subject citizens to unreasonable searches and prolonged seizures. This failure to supervise amounts to

deliberate indifference by Defendant Sheriff Cazes towards the constitutional duties of his officers and the constitutional rights of the people they police.

271. Section 1983 permits municipal liability for inadequate supervision where the failure to adequately supervise amounts to a deliberate indifference to the constitutional rights of persons with whom the police come into contact.

272. In the alternative, on information and belief, this culture reflects an informal policy by which Defendant Sheriff Cazes encourages his officers to disregard the Fourth Amendment right to be free from unreasonable searches and seizures.

273. Whether caused by a failure to supervise or informal policy, this culture of unconstitutionally aggressive searches and seizures was a proximate cause of the violation of Plaintiff Mills's Fourth Amendment rights and her resulting injuries.

COUNT ELEVEN
La. Civ. Code Art. 2315
Intentional Infliction of Emotional Distress
(By Plaintiff Mills Against Defendant Gaudet)

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

275. Defendant Gaudet's false statement to Plaintiff Mills that he had shot and killed Mr. Catchings was extreme and outrageous. His later statement, that he had not shot Mr. Catchings but that he wished he had, was also extreme and outrageous.

276. Defendant Gaudet's false statement served no legitimate investigatory or penological purpose; rather, he made the statement solely to devastate and torment Plaintiff Mills. His subsequent statement that he had not killed Mr. Catchings but that he wished he had, further demonstrates his gross callousness and cruelty towards Plaintiff Mills.

277. The loss of a loved one, especially the knowledge that a loved one has been shot to death, causes incalculable pain and devastation. By falsely informing Plaintiff Mills that Mr. Catchings—the father of her child—had been killed, Defendant Gaudet intentionally and unnecessarily caused her to feel this terrible pain.

278. Defendant Gaudet's acts constituted extreme and outrageous conduct, which was so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious and utterly intolerable in a civilized community.

279. As a direct and proximate result of Defendant Gaudet's statements and actions, Plaintiff Mills continues to suffer severe emotional injury and psychiatric distress. She further continues to suffer from severe distress, anguish, humiliation, and loss of enjoyment of life.

280. Defendant Gaudet desired to inflict severe emotional distress on Plaintiff Mills or knew that severe emotional distress would be certain or substantially certain to result from his statements and actions.

281. Any reasonable officer in these circumstances would have understood that causing someone to falsely believe their loved one had been shot is unjustified, unnecessary, and unreasonable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Nia Mills respectfully requests that the Court enter judgment in her favor against Defendants William Allen Connelly, John Gaudet, Sheriff Michael Cazes, and Doe Defendants 1-10, and award the following relief:

- A. A declaration that the Defendants' conduct violated the U.S. and Louisiana Constitutions;
- B. Compensatory damages;
- C. Special damages, including the cost of the Uber to Jackson, Mississippi; all fees owed to the car rental agency; the cost of gas required to return to West Baton Rouge Parish to retrieve items from the impounded car; and other costs incurred;
- D. Punitive damages;
- E. Attorneys' fees and costs as provided by law;
- F. Injunctive relief and/or issuance of a writ of mandamus requiring the production of copies of the public records identified above;
- G. Further appropriate equitable relief; and
- H. Any other relief this Court deems just and proper.

Dated: November 17, 2023

Respectfully submitted,

/s/ Vanessa Domenichelli
Vanessa Domenichelli (*pro hac vice*)
Sara Haji (*pro hac vice*)
SOCIAL JUSTICE LEGAL
FOUNDATION
523 West 6th St., Suite 450
Los Angeles, CA 90014
T: 213-677-0883

F: 213-677-0883
vdomenichelli@socialjusticelaw.org
shaji@socialjusticelaw.org

-and-

/s/ Erin Bridget Wheeler
Erin Bridget Wheeler (LA Bar No. 37546)
Nora Ahmed (*pro hac vice*)
ACLU FOUNDATION OF LOUISIANA
1340 Poydras Street, Suite 2160
New Orleans, Louisiana 70112
Telephone: (504) 522-0628
bwheeler@laaclu.org
nahmed@laaclu.org
justicelab@laaclu.org

-and-

/s/ Leslie Faith Jones
Leslie Faith Jones (*pro hac vice*)
SOUTHERN POVERTY LAW CENTER
111 East Capitol Street, Suite 280
Jackson, Mississippi 39201
Telephone: (601) 948-8882
leslie.jones@splcenter.org

/s/ Emily B. Lubin
Emily B. Lubin (LA Bar No. 38823)
SOUTHERN POVERTY LAW CENTER
201 Saint Charles Avenue, Suite 2000
New Orleans, Louisiana 70170
Telephone: (225) 316-6709
emily.lubin@splcenter.org