

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

Nia Mills,

Plaintiff,

vs.

William Allen Connelly;
John Gaudet;
Vance Matranga Jr.;
Sheriff Michael Cazes;
Zachary Simmers;
Kasey Perrault;
Johns Doe 1-4,

Defendants.

Case No. 3:22-cv-193

Judge

Magistrate Judge

COMPLAINT

1. Plaintiff Nia Mills, by and through her undersigned counsel, and for her Complaint against Defendants William Allen Connelly (“Defendant Connelly”), John Gaudet (“Defendant Gaudet”), Vance Matranga Jr. (“Defendant Matranga”), Sheriff Michael Cazes (“Defendant Sheriff Cazes”), Zachary Simmers (“Defendant Simmers”), Kasey Perrault (“Defendant Perrault”), and Johns Doe 1-4, alleges as follows:

INTRODUCTION

2. This case seeks to address a culture of unconstitutional searches and seizures in the West Baton Rouge Parish Sheriff’s Office, which is encouraged by Louisiana’s asset forfeiture regime. Due to this culture of impunity, Nia Mills was subject to prolonged

detention and invasive searches, 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. Ms. Mills is the mother to an eight-year-old daughter.

5. On March 26, 2021, Ms. Mills and her partner left their daughter with family in Mississippi while they traveled to Texas to buy a new car with their COVID-relief checks. Early in the afternoon, as they passed through Port Allen, Louisiana, they were pulled over—ostensibly for a minor traffic violation. But after the routine tasks of the traffic stop were concluded, Defendant Officer William Allen Connelly chose to continue and escalate the encounter, ordering Ms. Mills and her partner out of the car. Defendant Connelly then forcefully grabbed Ms. Mills' partner, who was recovering from a traumatic brain injury. Ms. Mills' partner became terrified and ran.

6. Defendant Connelly then arrested Ms. Mills. Defendants Connelly and Gaudet pilfered through her personal belongings in the car, musing about how much they could get for them. As Ms. Mills waited, Defendant Gaudet falsely told her that her partner had been shot and killed. Hearing these false reports, Ms. Mills burst into tears, which were met only with further taunts. Ms. Mills was then transported to a local sheriff's office, where she was subjected to further baseless searches and interrogation. For Ms. Mills, what began as a traffic stop for an improper lane change became a traumatic, life-altering ordeal that she is still struggling with today. She suffers from severe emotional distress and anxiety and has lost thousands of dollars in fees and expenses.

7. Unfortunately, the harassment and torment that Ms. Mills 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 harass, escalate, and sometimes become violent.¹ These encounters with police are often financially devastating, especially when officers are incentivized to escalate them. This case seeks to hold accountable the officers who violated Ms. Mills’s constitutional rights, and to formally acknowledge that Ms. Mills is deserving of dignity and constitutional treatment by those who wear a badge.

PARTIES

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

9. Defendant William Allen 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.

10. Defendant John 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.

¹ 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”).

11. Defendant Vance Matranga, Jr., 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.

12. Defendant Sheriff Michael B. 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. Sheriff Cazes is a citizen of Louisiana. He is sued in his official capacity.

13. Defendant Major Zachary Simmers is a Major in the WBRSO. He has been designated as the internal custodian of records for the Sheriff's Office. In that role, he is responsible for responding to requests under the Louisiana Public Records Act. He is sued in his official capacity and is a citizen of Louisiana.

14. Defendant Kasey Perrault is the custodian of records for the West Baton Rouge Parish Department of Homeland Security, Emergency Preparedness, and 911 (DOHS). In that role, she is responsible for responding to requests under the Louisiana Public Records Act. She is sued in her official capacity and is a citizen of Louisiana.

15. Defendant John Doe 1 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.

16. Defendant John Doe 2 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.

17. Defendant John Doe 3 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.

18. Defendant John Doe 4 is an officer with WRBSO 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.

JURISDICTION AND VENUE

19. Jurisdiction is proper in this Court pursuant to 18 U.S.C. §§ 1331 and 1343 because the Plaintiffs bring causes of action that arise under the Constitution and laws of the United States, including 28 U.S.C. § 1983.

20. This Court also has diversity jurisdiction under 28 U.S.C. § 1332 over the 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.

21. If diversity jurisdiction is lacking, 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.

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 the Plaintiff'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 Traffic Stop

23. On March 26, 2021, Nia Mills and her partner were driving in a rented Ford Mustang from Jackson, Mississippi to Houston, Texas to purchase a new car. Ms. Mills had rented the car in her own name. It was due to be returned after the couple's trip to Houston.

24. Ms. Mills and her partner had recently cashed their government stimulus checks to purchase the car and had an appointment at a Houston dealership that evening. Ms. Mills drove the entire time.

25. 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).

26. Ms. Mills and her partner waited in their parked car for several minutes before a white police officer finally approached.

27. The officer was Defendant William Allen Connelly of WBRSO.

28. Defendant Connelly then 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.

29. Defendant Connelly also stated that there are 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 and provided him with her driver's license and the rental information.

30. Ms. Mills and her partner waited in the car while Defendant Connelly returned to his truck. After several more minutes, he came back to Ms. Mills' car and ordered her to step out so that he could "show her where the yellow line was."

31. 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 to point

out the yellow line.

32. Defendant Connelly then stated Ms. Mills was “good to go.”

33. Despite this indication that the traffic stop was complete, he then stated that he needed to see her partner’s identification as well, even though he was not driving.

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

35. There was no reasonable basis for Defendant Connelly to believe that Ms. Mills or her partner were armed or dangerous.

36. There was no reasonable basis for Defendant Connelly to believe that Ms. Mills or her partner were in possession of contraband or evidence of a crime.

37. Defendant Connelly approached the passenger-side window of the car and requested Ms. Mills’ partner’s identification.

38. Moments later, Defendant Connelly asked Ms. Mills’ partner to step out of the car and instructed him to walk to the back of the car, turn around, and face the car. He complied with these orders.

39. Despite his compliance, Defendant Connelly became physical, grabbing him by both arms and pressing his body up against the car.

40. As Ms. Mills’ partner stood against the car, Defendant Connelly remained behind him. Ms. Mills observed Defendant Connelly pressing a black object against her partner’s back.

41. The next moment, Ms. Mills’ partner suddenly took off running.

42. Panicked, 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 her partner.

43. Defendant Connelly then informed Ms. Mills that she was under arrest. When Ms. Mills asked why she was being placed under arrest, Defendant Connelly responded that it was “because he ran.”

44. Defendant Connelly went to his police vehicle and released a dog that had been sitting inside.

45. None of the traffic stop, nor any of the subsequent events described below, were captured on film, because WBRSO does not own or use police-worn body cameras or dashboard cameras.

B. The Search of the Car and Ms. Mills’ Electronic Devices

46. Soon after Ms. Mills’ partner fled, two more officers arrived, both of whom were also white: Defendant John Gaudet and Defendant John Doe 1.

47. While Defendant Gaudet and Defendant Doe 1 pursued Ms. Mills’ partner, Defendant Connelly continued to detain Ms. Mills near the parked vehicles on the side of the highway.

48. After 15 - 20 minutes, Defendant Gaudet returned. Together, he and Defendant Connelly began to search Ms. Mills’ rental car while Ms. Mills was forced to sit on the ground—an arm’s length behind the car with her back towards it—handcuffed.

49. Neither Ms. Mills nor her partner ever gave consent to the officers to search their vehicle.

50. 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 Ms. Mills' shoes and whether any of the clothes or shoes 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.

51. 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."

52. Defendant Gaudet then told Ms. Mills that he had shot and killed her partner.

53. Ms. Mills immediately became very upset at the representation that her partner had been killed. Defendant Gaudet, noticing that Ms. Mills was beginning to cry, told her that in truth, he had not shot her partner, but that he "wished [he] had."

54. Defendant Gaudet also told Ms. Mills that her partner "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 him.

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

56. That officer transported Ms. Mills to the Sheriff's Office.

57. After Ms. Mills was taken from the scene, officers towed and impounded the rental car.

58. During the drive to the Sheriff's Office, Ms. Mills cried and told the transporting officer about Defendant Gaudet's statement that she was arrested "for you being you." The officer responded that Ms. Mills should not have rented a Mustang, but instead should have

chosen a less flashy car such as a Sonata. When Ms. Mills told the officer that Defendants Connelly and Gaudet said they found marijuana in the car, the officer said “*Allegedly.*”

59. Upon arrival at the Sheriff’s Office, Defendant Connelly ordered Ms. Mills to sit in the hallway and be quiet, telling her that if she “talked,” she would “go to prison.”

60. Ms. Mills asked for an attorney, but the officers did not respond.

61. Seeing Defendant Gaudet, and concerned for her partner’s safety, Ms. Mills repeatedly told the Defendants that her partner was recovering from two recent brain surgeries. The Defendants gave no response, except to say that it was not Ms. Mills’ partner that she should be worried about, but Defendant Gaudet, because Defendant Gaudet had been forced to run.

62. Ms. Mills continued to be detained in the hallway for roughly one hour. During this time, she could overhear Defendants Connelly and Gaudet conversing with several other officers in the room next to her. On information and belief, one of the other officers was Defendant Vance Matranga Jr.

63. 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.

64. During this time, the Defendants searched Ms. Mills’ wallet and attempted to run a debit card and a pre-paid card using a credit card reader.

65. From the hallway, Ms. Mills could hear the Defendants discussing and joking about the amount in each of her accounts. She heard one of them state gleefully that WBRSO was “ten bands up for the week.”

66. 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.”

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

68. After about an hour, Defendant Connelly told Ms. Mills that she was free to go. He wrote her a summons for the alleged traffic violation and misdemeanor possession of marijuana.

69. However, Defendant Connelly also told Ms. Mills that she could not leave with her cell phone and laptop unless she granted him consent to search those items.

70. Having lost access to the rental car, Ms. Mills could think of no way to get home from Louisiana to Mississippi without her cell phone. When she asked Defendant Connelly how she was supposed to get home, he told her she could “walk home.” Jackson, Mississippi is roughly 180 miles from Port Allen, Louisiana.

71. 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.

72. 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. Defendant Connelly, Defendant Gaudet, Defendant Matranga, and Defendants Doe 1, Doe 2, Doe 3, and Doe 4 looked through her texts, photos, emails, and other 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, these Defendants intended for Ms. Mills to hear them or did not care that she did.

73. After searching Ms. Mills’ cell phone and laptop, Defendant Connelly and the

other officers also searched Ms. Mills' partner's cell phone without his consent.

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

75. After receiving her cell phone back and leaving the Sheriff's Office, Ms. Mills looked at her Cash App (a prepaid account). It showed two attempted withdrawals by WBRSO—one for \$5,000 and another for \$1,000.

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

77. On top of the cost of traveling home, 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.

78. Ms. Mills' partner was carrying approximately \$3,500 in cash during their drive, which he and Ms. Mills had intended to use for the purchase of a new car. The \$3,500 had come from Ms. Mills' COVID-stimulus check and her partner's, as well as some of the couple's collective savings.

79. A WBRSO officer seized the cash during the incident.

80. Ms. Mills and her partner were later presented with a Notice of Proposed Forfeiture of the cash, pursuant to which each filed a claim.

81. Prosecutors proceeded to file a forfeiture proceeding in the 18th Judicial District Court, which remains pending.

82. Ms. Mills had to borrow her partner's grandmother's car and pay for enough gas to return to West Baton Rouge Parish to collect the items that had been left in the impounded car, such as her shoes and clothing.

83. Ms. Mills returned again to West Baton Rouge Parish and appeared 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.

84. Ms. Mills suffers lasting mental anguish and emotional distress resulting from this incident, including sadness, outrage, and frustration stemming from the mistreatment she suffered from law enforcement.

C. Public Records Requests

85. On behalf of Ms. Mills, the ACLU of Louisiana and the Social Justice Legal Foundation submitted a series of public records requests to the West Baton Rouge Parish Sheriff seeking records and information regarding the March 26 incident.

86. In response, Defendant Cazes, Defendant Simmers, and Defendant Perrault 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.

Request 1 (On Behalf of Ms. Mills)

87. 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).

88. Having received no response to Request 1, the ACLU of Louisiana submitted a written follow-up request on October 19, 2021, restating the law as it applies to public records requests, and restating the Defendants’ obligation to produce the requested documents within the mandated timeframe. Again, no response or documents were provided.

89. 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.

90. 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].”

91. 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.

92. Finally, on November 24, Major Simmers provided some documents, but those documents were not fully responsive to the request.

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

94. On January 3, 2022, Defendant Simmers responded via email addressing some of the deficiencies for Request 1. Defendant Simmers stated that he was still waiting for internal affairs documents from a captain in the department, which would take “some time” to answer.

95. To date, the requested internal affairs documents have not been produced.

96. Defendant Simmers’ January 3 email also stated that he was reaching out to a case officer to confirm whether Defendants Gaudet and Connelly were the only officers present at the scene of the incident.

97. Defendants Gaudet and Connelly were not the only officers present at the scene of

the incident. To date, no records have been provided with the names of the other officers present, despite the fact that such information was sought through Request 1.

98. On January 5, 2022, undersigned counsel responded via email, stating knowledge of at least four officers who responded to the scene, and the presence of a police dog.

99. On February 18, 2022, Defendant Simmers' office provided the names of two other WBRSO officers who he claimed were the proper records custodians for the remaining items.

100. On March 3, undersigned counsel followed up via email with the individuals Defendant Simmers named.

101. On March 3, 2022, Major John Barker responded that, according to Defendants Connelly and Gaudet, they were the only two officers present on the scene. However, he stated that "other deputies were in the area" and that a transport deputy "may have responded." Major Barker did not name the additional deputies that were in the areas. Moreover, he stated that he "cannot help anymore."

102. The Social Justice Legal Foundation submitted a formal, written public records request on behalf of Ms. Mills' partner on December 10, 2021. Defendant Simmers has similarly failed to provide responsive documents or explanation for each item in the request.

Request 2 (On Behalf of Ms. Mills and her Partner)

103. On February 7, 2022, the Social Justice Legal Foundation submitted a third, formal written public records request on behalf of both Ms. Mills and her partner ("Request 2"). See Ex. B (attaching Request 2).

104. To date, no response has been received.

Request to West Baton Rouge Department of Homeland Security (On Behalf of Ms. Mills and her

Partner)

105. On January 14, 2022, the Social Justice Legal Foundation submitted a formal written public records request on behalf of both Ms. Mills and her partner to the West Baton Rouge Parish Department of Homeland Security, Emergency Preparedness, and 911 (DOHS) (“Request 3”). *See* Ex. C (attaching Request 3).

106. DOHS is the custodian of dispatch call records.

107. Undersigned counsel has diligently made telephone calls to DOHS to follow up on the Request 3. Those calls have been unanswered or transferred to a line that goes straight to voicemail.

108. To date, no response has been received.

D. WBRSO’s Deliberate Indifference to Conducting Unlawful Searches and Seizures

109. Throughout their encounter with Ms. Mills and her partner, WBRSO officers displayed a cavalier attitude towards their extensive—and unreasonable—searches and seizures, which treats unconstitutional policing as a norm or policy.

110. This attitude evinces an organizational culture that either encourages or tolerates unlawful searches and seizures incentivized by profit.

111. While conducting the illegal search of Ms. Mills’ car, Defendants Connelly and Gaudet loudly commented and joked about converting the items to their own use, showing no concern that their conduct would be noticed or disciplined.

112. Similarly, while conducting the illegal and intrusive search of Ms. Mills’ cell phone and laptop, Defendants ridiculed photographs and other private content, again showing no concern that Ms. Mills or anyone at the office could hear them.

113. This is not the first time that WBRSO officers have been accused of confiscating and searching a cell phone unlawfully and without consent. Last year, a woman accused an 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, Defendants Connelly and Matranga were among the officers involved. *See* Compl., *Wright v. Cazes*, No. 3:21-cv-00410-JWD-RLB (M.D. La. June 16, 2021).

114. Defendants also used an electronic card reader to conduct a wholly unnecessary search of Ms. Mills' debit cards to ascertain their balances. While lawful, this search reflects an incentive for WBRSO officers to use their position of authority to seek financial gain, for themselves or for their employer.

115. Louisiana's asset forfeiture system creates a financial incentive for such unconstitutionally aggressive and invasive searches and seizures.

116. If seized property, like the cash taken from Ms. Mills and her partner, is adjudged to be forfeit, the seizing law enforcement agency receives 60% of the value of the property. 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.

117. In West Baton Rouge Parish, proceeds from asset forfeiture make up a substantial proportion of the criminal court fund. In recent years, as much as 70% of the total revenue to the fund has come from forfeitures.

118. In recent years, WBRSO received hundreds of thousands of dollars annually in forfeited property. In 2017, it received more than \$900,000, and the year before, WBRSO

used forfeiture funds to build itself a Fitness Wellness Center.

119. WBRSO's culture of impunity is further evidenced by their refusal to implement police-worn body cameras or dashboard cameras.

120. 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 frequently allows television cameras to follow them on patrols for the A&E series, LivePD.

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

122. WBRSO's refusal to implement body or dashboard cameras also evinces inadequate supervision of officers by Defendant Sheriff Cazes, and a lack of interest in monitoring or disciplining misconduct.

123. WBRSO's records custodian has evaded his responsibility to produce any records related to Internal Affairs. He has evaded his responsibility to produce any records related to prior complaints against the Defendant Officers in this Complaint.

124. Taken together, the preceding facts demonstrate that WBRSO operates with a culture of deliberate indifference towards the constitutional rights of the people they police (particularly relating to unlawful searches and seizures), and that WBRSO officers are incentivized to police for profit.

CLAIMS

COUNT ONE 42 U.S.C. § 1983 (Fourth Amendment) Unlawfully Prolonged Detention (Against Defendant Connelly)

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

126. After Defendant Connelly showed Ms. Mills the yellow line that she had crossed, he completed the legitimate mission for the stop (as reflected by his statement that she was “good to go”), and he had no basis for any reasonable suspicion of criminal activity, let alone probable cause, to justify prolonging her detention.

127. Defendant Connelly nonetheless continued to detain the Plaintiff.

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

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

130. As a direct and proximate result of Defendant Connelly’s conduct as set forth above, the Plaintiff has suffered and continue to suffer embarrassment, humiliation, pain, and suffering. Moreover, if Defendant Connelly had not unlawfully prolonged the stop, the Plaintiff’s car would not have been impounded, requiring her to incur late fees from the rental agency and the costs to return to Mississippi and retrieve her belongings.

COUNT TWO
42 U.S.C. § 1983 (Fourth Amendment)
Unreasonable Search of Car
(Against Defendants Connelly and Gaudet)

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

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

133. Defendants Connelly and Gaudet did not possess a lawfully issued warrant to search the car.

134. The Defendants Connelly and Gaudet did not possess probable cause, arguable probable cause, or reasonable suspicion sufficient to justify a warrantless search of the car.

135. Neither Ms. Mills nor her partner ever gave consent to search the car.

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

137. When they searched the car, Defendants Connelly and Gaudet were acting under color of state law.

138. The Plaintiff was harmed by the Defendants Connelly and Gaudet's search of her personal property in violation of her Fourth Amendment rights.

139. As a direct and proximate result of the Defendants Connelly and Gaudet's conduct as set forth above, the Plaintiff 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 Phone and Computer
(Against Defendant Connelly, Defendant Gaudet, Defendant Matranga, and Defendant Does 1-4)

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

141. Defendants Connelly, Gaudet, Matranga, and Does 1-4 conspired together to coerce Ms. Mills to give consent to search her phone and computer and to conduct the search. Accordingly, they are liable jointly, solidarily, and *in solido* for the conduct set forth below.

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

143. 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.

144. There was no legal basis or justification for the search of Ms. Mills' 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.

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

146. Defendants Connelly, Gaudet, Matranga, and Doe 1-4's search of the cell phone and laptop were not brief or minimally intrusive. Defendants searched the items at length, scrolling through Ms. Mills' photos, videos, and applications, and ridiculing them for 15 to 20 minutes.

147. At all times related to this action, Ms. Mills was the legal owner of the cell phone and laptop searched on March 26, 2021.

148. Ms. Mills was harmed by the Defendants Connelly, Gaudet, Matranga, and Doe 1-4's search of her private information in callous disregard of her Fourth Amendment rights.

149. As a direct and proximate result of Defendants Connelly, Gaudet, Matranga, and Doe 1-4's conduct as set forth above, Ms. Mills suffered damages in an amount to be proven at trial.

150. As a direct and proximate result of Defendants Connelly, Gaudet, Matranga, and Doe 1-4's conduct as set forth above, Ms. 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-Monell)
Unlawful Searches and Seizures
(Against Defendant Sheriff Cazes)

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

152. The West Baton Rouge Parish Sheriff, 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 (and his predecessors in office) have developed and maintained the policies, customs, and practices which proximately caused the violations of Ms. Mills' rights as described here and the resulting damages suffered.

153. WBRSO Officers' treatment of the Plaintiff displayed a cavalier disregard for individuals' Fourth Amendment rights to be free from unreasonable search and seizure. Rather, officers repeatedly commented about seizing the Plaintiff's property for personal use. They ultimately seized the Plaintiff's stimulus funds, initiating proceedings that would financially benefit WBRSO.

154. 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.

155. 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 Cazes towards the constitutional duties of his officers and the constitutional rights of the people they police.

156. 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.

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

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

COUNT FIVE
La. Const. Art. I § 5 and La. Civ. Code Art. 2315
Invasion of Privacy
(Against Defendant Connelly, Defendant Gaudet, Defendant Matranga, Defendant Does 1-4, and Defendant Sheriff Cazes)

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

160. 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.

161. 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.

162. Ms. 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.

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

164. Defendants Connelly, Gaudet, Matranga, and Does 1-4 intentionally and unreasonably intruded upon the Plaintiff's privacy interest by conducting a thorough search of the cell phone, including looking at the photos in her camera roll and commenting on what they saw. This was a serious intrusion.

165. The Plaintiff's privacy interests in the contents of her devices outweighs the interest of Defendants Connelly, Gaudet, Matranga, and Does 1-4 in looking through the devices without a lawful justification for doing so.

166. Defendant Sheriff Cazes is vicariously liable for the invasion of Ms. Mills' privacy by WBRSO Officers, pursuant to LA Civ. Code Art. 2320.

167. Defendants Connelly and Doe 1-4 acted in the course and scope of their employment, and their conduct occurred on WBRSO premises and during their hours of employment.

168. As a direct and proximate result of Defendants Connelly, Gaudet, Matranga, and Does 1-4's conduct as set forth above, Ms. Mills experienced embarrassment, humiliation, pain, and suffering.

COUNT SIX
La. Civ. Code Art. 2315
Intentional Infliction of Emotional Distress
(Against Defendant Gaudet)

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

170. Defendant Gaudet's false statement to Ms. Mills that he had shot and killed her partner was extreme and outrageous. His later statement, that he had not shot her partner but that he wished he had, was also extreme and outrageous.

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

172. 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 Ms. Mills and that her partner—the father of her child—had been killed, the Defendant Gaudet intentionally and unnecessarily caused her to feel this terrible pain.

173. 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.

174. As a direct and proximate result of Defendant Gaudet's statements and actions, Ms. 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.

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

176. 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.

COUNT SEVEN
La. Const. Art. XII § 3 & La. R.S. § 44 :31 et seq.
Violation of Louisiana Public Records Law
(Against Defendant Cazes and Defendant Simmers)

177. The Plaintiff hereby incorporates all paragraphs in this Complaint as if fully set forth herein.

178. Under Article XII § 3 of the Louisiana Constitution and the Public Records Law, La. R.S. § 44:31, et seq., a person has the right to examine public documents.

179. In connection with the incident of March 26, 2021, the Plaintiff, through undersigned counsel, sought several public records from the records custodian of WBRSO, under Louisiana Public Records Law.

180. Sheriff Michael Cazes is the public official or head of WBRSO, a public body.

181. Major Zach Simmers is the Records Custodian for WBRSO.

182. To date, WBRSO has not provided documents for numerous requests, and has provided responses to various items which are incomplete.

183. For the unanswered items, WBRSO has not: (1) provided notification in writing that it believes one or more of the requested records are not public; (2) claimed an exemption under the Public Records Act or any other statute or specified the requested records for

which it is claiming an exemption; or (3) stated its reasons in writing for believing an exemption applies to any of the requested public records as required under La. Rev. Stat. Ann. § 44:32.

184. WBRSO has not certified in writing that any of the unanswered items are not immediately available as required under La. Rev. Stat. Ann. § 44:32.

185. WBRSO has withheld responsive documents without explaining the basis for withholding those documents.

186. The Plaintiff has been deprived of her rights under the Louisiana Public Records Law and is entitled to injunctive relief and/or issuance of a writ of mandamus, attorneys' fees and costs, and damages, including the attorneys' fees incurred for bringing this action.

COUNT EIGHT
La. Const. Art. XII § 3 & La. R.S. § 44 :31 et seq.
Violation of Louisiana Public Records Law
(Against DOHS Records Custodian Kasey Perrault)

187. The Plaintiff hereby incorporates all paragraphs in this Complaint as if fully set forth herein.

188. The Plaintiff, through undersigned counsel, submitted a request for public records from the records custodian of the West Baton Rouge Parish Department of Homeland Security, Emergency Preparedness, and 911 (DOHS), under Louisiana Public Records Law.

189. Undersigned counsel has attempted to call the Department numerous times and has received no answer.

190. To date, DOHS has made no response.

191. For the unanswered items, DOHS has not: (1) provided notification in writing that it believes one or more of the requested records are not public; (2) claimed an exemption

under the Public Records Act or any other statute or specified the requested records for which it is claiming an exemption; or (3) stated its reasons in writing for believing an exemption applies to any of the requested public records as required under La. Rev. Stat. Ann. § 44:32.

192. DOHS has not certified in writing that any of the unanswered items are not immediately available as required under La. Rev. Stat. Ann. § 44:32.

193. DOHS has withheld responsive documents without explaining the basis for withholding those documents.

194. The Plaintiff has been deprived of her rights under the Louisiana Public Records Law and is entitled to injunctive relief and/or issuance of a writ of mandamus, attorneys' fees and costs, and damages, including the attorneys' fees incurred for bringing this action.

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, Zachary Simmers, Kasey Perrault, and Does 1-4, and award the following relief:


- A. A declaration that the Defendants' conduct violated the U.S. and/or 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;
- C. Punitive damages;

- D. Attorney's fees and costs as provided by law;
- E. Injunctive relief and/or issuance of a writ of mandamus requiring the production of copies of the public records identified above;
- F. Further appropriate equitable relief; and
- G. Any other relief this Court deems just and proper.

Dated: March 22, 2022

Respectfully submitted,

By: _____


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**Motion for Admission Pro Hac Vice
Pending*

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