

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA**

AIRIUS REED and JASMINE HOBBS,)	
individually and on behalf of)	
Z.K., and Z.R., her minor children,)	Case No.
LARRY HOBBS,)	
)	
Plaintiffs,)	
)	
v.)	
)	
)	
LAKE COUNTY,)	
LAKE COUNTY SHERIFF'S)	
DEPARTMENT)	
POLICE OFFICERS BRYAN)	
ZABRECKY, J. SIEMS, A. CORDOVA,)	
A. SAMARDZICH,)	
TOWN OF WINFIELD, WINFIELD)	
POLICE)	
OFFICERS CHAD STROUP, PAUL)	
SHANE,)	
SKYLER HOFER, and JORDAN)	
BILLUPS TAYLOR,)	
)	
Defendants.)	
)	
)	
)	

COMPLAINT

1. Plaintiffs AIRIUS REED and JASMINE HOBBS, individually and on behalf of Z.K. and Z.R., her minor children, and LARRY HOBBS, by and through their attorneys Ezinné Adibe Ranger of EZINNE LAW PLLC and Hakeem Muhammad of MUHAMMAD LAW CENTER, for their complaint against Defendants LAKE COUNTY, Lake County Police Officers BRYAN ZABRECKY, J. SIEMS, A. CORDOVA, and A. SAMARDZICH, TOWN OF WINFIELD, Winfield Police Officers CHAD STROUP, PAUL SHANE, SKYLER HOFER, and JORDAN BILLUPS TAYLOR, hereby allege as follows:

INTRODUCTION

2. This cause of action arises from a July 14, 2024, incident, occurring at approximately 10:30 p.m., at the 11157 Putnam Street residence in Crown Point, Indiana. This cause of action is for money damages brought pursuant to 42 U.S.C. § 1983 to redress the deprivation under color of state law of Plaintiffs' clearly established rights secured by the Fourth and Fourteenth Amendments to the United States Constitution against Defendants Bryan Zabrecky, J. Siems, A. Cordova, A. Samardzich, Chad Stroup, Paul Shane, Skyler Hofer, and Jordan Billups Taylor in their respective capacities as duly-certified law enforcement officers employed by the Lake County Sheriff's Department and Winfield Police Department (collectively, the "Defendant Officers"), for violations of the Fourth Amendment, Americans with Disabilities Act (ADA), and state law claims for assault, battery, and intentional infliction of emotional distress.

JURISDICTION AND VENUE

3. This action is brought pursuant to 42 U.S.C. § 1983 to redress the deprivation under color of law of Plaintiffs' rights as secured by the United States Constitution.

4. This Court has jurisdiction over federal claims pursuant to 28 U.S.C. § 1331 and state law claims pursuant to 28 U.S.C. § 1367.

5. Venue is proper under 28 U.S.C. § 1391(b).

6. Defendant Lake County is a municipality or municipal corporation located within this judicial district.

7. Defendant Town of Winfield is a municipality or municipal corporation located within this judicial district.

8. Additionally, events giving rise to the claims asserted herein occurred within

this judicial district.

PARTIES

9. Plaintiff Airius Reed is a 31-year-old Black man who is currently a resident of Merrillville, Indiana.

10. Plaintiff Z.K. is a minor who is currently a resident of Crown Point, Indiana.

11. Plaintiff Z.R. is a minor who is currently a resident of Crown Point, Indiana.

12. Plaintiff Jasmine Hobbs is a 33-year-old Black woman who is currently a resident of Crown Point, Indiana. She is the mother of Z.K. and Z.R.

13. Plaintiff Larry Hobbs is a 65-year-old Black man who is currently a resident of Crown Point, Indiana.

14. Defendant Lake County is an Indiana municipal corporation that is required to pay any tort judgment for damages for which its employees are liable for acts within the scope of their employment. It is responsible for the policies, practices and customs of the Lake County Police Sheriff's Department ("LCSD") that are alleged herein.

15. Defendant Town of Winfield is an Indiana municipality and is required to pay any tort judgment for damages for which its employees are liable for acts within the scope of their employment. It is responsible for the policies, practices, and customs of the Winfield Police Department ("WPD") that are alleged herein.

16. Defendants Lieutenant Bryan Zabrecky, J., Siems, A. Cordova, and A. Samardzich, at all times relevant to this action, were LCSD officers employed by Lake County. They are being sued in their individual capacity.

17. Defendants Lt. Zabrecky, J. Siems, A. Cordova, and A. Samardzich, at all

times relevant to this action, were acting under the color of law, were carrying out their duties as LCSD officers, and were acting within the scope of their employment with Lake County.

18. Defendants Chad Stroup, Paul Shane, Skylar Hofer, and Detective Jordan Billups Taylor at all times relevant to this action, were WPD officers employed by the Town of Winfield. They are being sued in their individual capacity.

19. Defendants Stroup, Shane, Hofer, and Dt. Billups Taylor, at all times relevant to this action, were acting under color of law, were carrying out their duties as WPD officers, and were acting within the scope of their employment with the Town of Winfield.

FACTUAL ALLEGATIONS

The Incident

20. On July 14, 2024, at 8:39 p.m., Plaintiff Airius Reed arrived at his girlfriend Plaintiff Jasmine Hobbs's residence at 11157 Putnam Street in Crown Point, Indiana.

21. At approximately 9:45 p.m., the Winfield Police Department (WPD) received a report of shots fired in the neighborhood.

22. The police were looking for a suspect described as a Black male, five feet seven inches tall, of stocky build, wearing a grey hoodie and white socks. Plaintiff Reed, who is six feet two inches tall and of a slender build, did not match this description.

23. At approximately 10:30 p.m., Plaintiff Reed briefly exited the residence to

retrieve his charger for a phone and iPad from his car. Upon arriving at his car, he realized he did not have his car keys.

24. Suddenly, Defendant Chad Stroup of the Winfield Police Department approached Plaintiff Reed, shining a flashlight at him and yelling "Come here!" Defendant Stroup did not identify himself as a law enforcement officer.

25. Plaintiff Reed, reasonably believing he was about to be robbed by an unidentified person, retreated into the Putnam Street residence and informed Plaintiff Jasmine Hobbs of the encounter.

26. Plaintiff Jasmine Hobbs immediately called 911 to report an attempted robbery and remained on the line with dispatch.

27. During this 911 call, the dispatcher informed Plaintiff Jasmine Hobbs that law enforcement was responding to a "shots fired report." Plaintiff Jasmine Hobbs informed dispatch that there were children in the residence and that her father, Plaintiff Larry Hobbs, was elderly and disabled.

28. WPD requested assistance from the Lake County Sheriff's Department (LCSD), incorrectly reporting that they had made contact with the "male shooter on 112th and Putnam" who had fled into the Putnam Street residence.

29. LCSD Officers Defendants Cordova, Siems, and Zabrecky responded and took positions around the perimeter of the residence.

30. Defendant Officer Skylar Hofer initially instructed Plaintiff Jasmine Hobbs

to remain inside with her children but then contradicted this order by demanding that she exit the residence while officers pointed guns at her.

31. Lieutenant Bryan Zabrecky, using his patrol vehicle's PA system, ordered the occupants to exit while simultaneously directing Plaintiff Reed to walk further from the residence. Other officers simultaneously commanded Reed to get on the ground. Lt. Zabrecky threatened to deploy tear gas and release K-9 dogs if occupants did not comply with these contradictory commands.

32. The adult plaintiffs exited the residence with their hands raised, fully complying with officers' orders, despite their contradictory nature.

33. After Plaintiff Reed complied by lying on the ground, Defendant Stroup grabbed his right arm, twisted it behind his back, and handcuffed him while other officers kept their weapons trained on him. During this detention, Stroup taunted Reed by calling him "homie" and questioning his presence on 111th Street.

34. Despite being informed of his disability, Defendant Paul Shane grabbed Plaintiff Larry Hobbs by the arm, pulled him from the doorway, threw him face-down onto the ground, and handcuffed him. When Shane later ordered Hobbs to stand, Hobbs reiterated that he was physically unable to do so without assistance due to his disability.

35. As Plaintiff Jasmine Hobbs exited last, she again informed Officers Skyler Hofer and Paul Shane about the children inside. Despite no evidence linking her to any criminal activity, Officer Hofer forcefully handcuffed her and moved her to the patrol vehicle.

36. During these events, Minor Plaintiff Z.K. witnessed officers pointing guns at her mother, grandfather, and Plaintiff Reed, and their subsequent detention.

37. The officers, despite having secured all adult occupants and acknowledging that Plaintiff Reed was "too tall" to be the suspect, entered the residence without a warrant, consent, or exigent circumstances.

38. Officers entered with firearms and activated flashlights, their weapon-mounted lights and lasers visible to the minor children.

39. Z.K., attempting to protect her younger sibling Z.R., hid with her sister beside their bed, dimming nearby electronic devices, and trying to remain quiet to avoid detection.

40. Defendant Zabrecky eventually released Plaintiff Jasmine Hobbs from the handcuffs and escorted her inside the residence.

41. Hobbs provided identification and video footage showing that Plaintiff Reed had been at home from 8:39 p.m. to 10:30 p.m., proving that he could not have been involved in the reported shooting.

42. Despite this evidence, officers continued to detain the Plaintiff Reed for approximately twenty minutes before releasing him from handcuffs.

43. None of the Plaintiffs were charged with crimes.

44. As a result of this incident, Z.K. experiences anxiety attacks triggered by police sirens, sleep disturbances, and difficulty being near law enforcement at school;

Z.R. exhibits severe separation anxiety, cannot sleep alone, and shows visible distress at the sight of police officers or vehicles; The adult Plaintiffs continue to suffer from terror, bodily injury, pain, emotional distress, and trauma from their unlawful arrest and imprisonment.

45. None of the Defendant Officers' reports documented Mr. Hobbs' disability or their prior knowledge of it, despite both dispatch notification and direct communication of this fact before force was used.

46. Throughout the entire incident, no Plaintiff engaged in criminal conduct, threatened officers, presented any danger, or resisted arrest. All Plaintiffs fully complied with officers' orders despite their contradictory nature.

Count I– 42 U.S.C. § 1983

Unlawful Search and Seizure

47. Plaintiffs reallege and incorporate by reference all preceding paragraphs as if fully set forth herein.

48. On July 14, 2024, the individual Defendants violated the Plaintiffs' Fourth Amendment rights against unreasonable searches and seizures through the following specific actions:

49. Defendant Stroup unlawfully seized Plaintiff Reed by chasing him without identifying himself as law enforcement, subsequently handcuffing and detaining him despite video evidence confirming his presence inside during the reported shooting. Defendant Stroup continued this unlawful detention even after confirming that Plaintiff Reed did not match the suspect's physical description.

50. Defendant Shane unlawfully seized Plaintiff Larry Hobbs by forcibly removing him from his doorway and throwing him to the ground, despite having knowledge of his disability. Defendant Shane then handcuffed Plaintiff Larry Hobbs without probable cause or reasonable suspicion of any criminal activity.

51. Defendant Hofer unlawfully seized Plaintiff Jasmine Hobbs by forcibly handcuffing her despite the absence of any evidence linking her to criminal activity. Defendant Hofer then moved her to a patrol vehicle without justification and maintained her detention, even after confirming that she had no connection to any crime.

52. The Defendants collectively engaged in the unlawful detention of minor Plaintiffs Z.K. and Z.R. by confining them to their bedroom through shows of force and creating conditions of confinement through intimidation. This unlawful detention continued even after the Defendants had secured all adult occupants and confirmed that no suspect was present in the residence.

53. Defendants Zabrecky, Cordova, and Siems conducted an unlawful search of the Hobbs residence without probable cause, warrant, consent, or exigent circumstances. These Defendants entered the residence and proceeded to the minor Plaintiffs' bedroom with weapons displayed and flashlights activated, continuing their search even after confirming that no suspect matching the reported description was present.

54. At the time of these seizures and searches, no Plaintiff matched the suspect's physical description, and video evidence confirmed Plaintiff Reed's presence inside the residence during the time of the reported shooting. Furthermore, no evidence linked any Plaintiff to criminal activity, all Plaintiffs were compliant and non-threatening, and no exigent circumstances existed to justify a warrantless entry into the residence.

55. As a direct and proximate result of Defendants' actions, Plaintiffs suffered violations of their constitutional rights, including the loss of liberty, physical injuries, emotional distress, psychological trauma, and ongoing fear and anxiety.

56. These actions violated clearly established constitutional rights that reasonable officers would have known, including the right to be free from unreasonable seizures, the right to be free from warrantless searches without exigent circumstances, the right to be free from excessive force, and the particular vulnerability of minor children to trauma from police actions.

Count II – 42 U.S.C. § 1983

Excessive Force

57. Plaintiffs reallege the foregoing paragraphs, as fully set forth herein.

58. This claim is brought pursuant to 42 U.S.C. § 1983 against the individual Defendants for violation of Plaintiffs' Fourth Amendment right to be free from excessive force.

59. Defendant Stroup employed objectively unreasonable force against Plaintiff Reed by forcibly twisting his arm behind his back and applying handcuffs with excessive tightness, despite Plaintiff Reed's complete compliance with commands to lie on the ground. Defendant Stroup maintained this excessive restraint for approximately 20 minutes after receiving confirmation that Plaintiff Reed could not have been involved in the reported shooting.

60. Defendant Shane employed objectively unreasonable force against Plaintiff Larry Hobbs by forcefully grabbing his arm, pulling him from the doorway, and throwing

him face down onto the ground. Defendant Shane executed these actions with the knowledge of Plaintiff Larry Hobbs's disability and physical limitations, which had been explicitly communicated to officers. Defendant Shane further subjected Plaintiff Larry Hobbs to an unreasonable force by demanding that he stand while handcuffed, despite having been informed multiple times of his physical inability to do so.

61. Defendant Hofer employed objectively unreasonable force against Plaintiff Jasmine Hobbs by applying handcuffs with excessive force and aggressively moving her to a patrol vehicle despite the absence of any resistance or evidence linking her to criminal activity. This use of force was executed without any legitimate law enforcement purpose.

62. Each individual Defendant directed unreasonable force against the minor Plaintiffs Z.K. and Z.R. by; entering their bedroom with weapons after securing all adult occupants; directing weapon-mounted lights and laser toward their location; and maintaining this show of force despite the absence of any threat and their known status as minor children.

63. At the time force was used against each Plaintiff: no Plaintiff was engaged in criminal activity; no Plaintiff posed an immediate threat to the safety of officers or others; no Plaintiff actively resisted arrest or attempted to evade arrest by flight; all Plaintiffs were compliant with officer commands, even when those commands were contradictory and the force used was disproportionate to any legitimate law enforcement objective.

64. The individual defendants' use of force was objectively unreasonable under the circumstances because the suspected offense (shots fired) had no established connection to any Plaintiff; Plaintiff Reed was demonstrably not the suspect because of his physical characteristics and documented location; no exigent circumstances existed after the adult

occupants were secured; the presence of minor children and a disabled adult was known to officers and less intrusive alternatives were readily available to accomplish any legitimate law enforcement objective.

65. As a direct and proximate result of Defendants' objectively unreasonable use of force, Plaintiffs suffered compensable injuries including; physical pain and injury; emotional trauma and ongoing psychological distress; humiliation and loss of dignity; fear of law enforcement and ongoing anxiety and sleep disturbances.

66. The individual Defendants' conduct violated clearly established constitutional rights that reasonable officers would have known, specifically the right to be free from excessive force under the circumstances presented.

Count III– 42 U.S.C. § 1983

False Arrest

67. Plaintiffs reallege the foregoing paragraphs, as fully set forth herein.

68. Defendants Billups Taylor, Cordova, Hofer, Shane, Samardzich, Siems, Stroup, and Zabrecky, acting individually, jointly, and/or in conspiracy, proximately and directly caused Plaintiffs Jasmine Hobbs, Larry Hobbs, and Airius Reed to be arrested and imprisoned without probable cause, thereby violating Plaintiffs rights pursuant to the Fourth Amendment to be free from unreasonable searches and seizures.

69. These unconstitutional actions of the Defendants were the direct and proximate cause of Plaintiffs' pain and suffering, mental anguish and humiliation, and loss of personal freedom.

Count IV – 42 U.S.C. § 1983

False Imprisonment

70. Plaintiffs reallege the foregoing paragraphs, as fully set forth herein.

71. Defendants Billups Taylor, Cordova, Hofer, Shane, Samardzich, Siems, Stroup, and Zabrecky, acting individually, jointly, and/or in conspiracy, unlawfully imprisoned minor Plaintiffs Z.K. and Z.R. by: confining the children to a specific area of their home through a show of force with weapons and laser, creating conditions of confinement through fear and intimidation that prevented the children from moving freely in their own home, maintaining this confinement after securing all adult occupants and determining no suspect was present, continuing to detain the children through a show of force while conducting an unlawful search of their home, and deliberately disregarding Plaintiff Jasmine Hobbs's multiple notifications about the presence of children.

Count V – 42 U.S.C. § 1983

Failure to Intervene

72. Plaintiffs reallege and incorporate by reference all preceding paragraphs as if fully set forth herein.

73. This claim is brought pursuant to 42 U.S.C. § 1983 against the individual Defendants for their failure to intervene to prevent the violation of Plaintiffs' clearly established constitutional rights.

74. During the excessive force used against Plaintiff Larry Hobbs, Reed and Jasmine Hobbs, Defendants Cordova, Siems, Zabrecky, Hofer, and Billups Taylor: were present at the scene; had a realistic opportunity to intervene to prevent Defendant Shane from throwing Mr. Hobbs to the ground; could observe that Mr. Hobbs had previously

communicated his disability; had sufficient time and ability to prevent the use of force; and failed to take reasonable steps to protect Mr. Hobbs from the use of excessive force.

75. During the show of force against minor Plaintiffs Z.K. and Z.R., all individual Defendants: were aware of the presence of minor children in the residence; had a realistic opportunity to prevent the unnecessary display of weapons and laser; knew that all adult occupants were already secured outside; had sufficient time and ability to prevent the traumatic show of force; and failed to take reasonable steps to protect the minor Plaintiffs from psychological trauma.

76. Each Defendant officer had an affirmative duty to intervene because they were present at the scene of the constitutional violations; they had reason to know that excessive force was being used; they had a realistic opportunity to intervene; they possessed both the authority and capability to prevent harm; and they chose not to act despite their duty to do so.

77. The individual Defendants' failure to intervene occurred under circumstances where, no Plaintiff posed any threat to officer safety, no Plaintiff actively resisted or evaded arrest, video evidence confirmed Plaintiff Reed's innocence, Mr. Hobbs' disability had been clearly communicated, and the presence of minor children was known to all officers.

78. As a direct and proximate result of Defendants' failure to intervene, Plaintiffs suffered compensable injuries including: physical pain and injury; emotional trauma; psychological distress; loss of dignity; and ongoing fear and anxiety.

79. The individual Defendants' failures to intervene violated clearly established constitutional rights of which reasonable officers would have known, specifically the right to be free from excessive force and the affirmative duty of officers to prevent constitutional violations by their colleagues when they have the opportunity to do so.

Count VI – Violation of the Americans with Disabilities Act (ADA)

80. Plaintiffs reallege and incorporate by reference all preceding paragraphs as if fully set forth herein.

81. Plaintiff Larry Hobbs is a qualified individual with a disability within the meaning of Title II of the Americans with Disabilities Act, 42 U.S.C. § 12131(2), as his mobility impairment substantially limits major life activities including walking, standing, and maintaining balance.

82. Defendants Lake County and Town of Winfield are public entities within the meaning of Title II of the ADA, 42 U.S.C. § 12131(1), and their police departments are instrumentalities providing public services.

83. Defendants had actual knowledge of Mr. Hobbs's disability through multiple sources; Plaintiff Jasmine Hobbs's explicit notification regarding her father's disability; Mr. Hobbs's direct verbal communication to officers before any physical contact and the visible manifestation of his mobility limitations during the encounter.

84. Despite this knowledge, Defendant Officer Paul Shane failed to reasonably

accommodate Mr. Hobbs's disability by, forcibly pulling him from the doorway without considering alternative approaches, throwing him face-down on the ground despite his known physical limitations, and demanding that he stand up while handcuffed after being informed of his inability to do so independently.

85. The Municipal Defendants failed to provide reasonable accommodations through inadequate policies to identify and accommodate disabilities during police encounters, insufficient training on interacting with disabled individuals, lack of protocols for modifying standard arrest procedures for disabled persons, and failure to implement appropriate supervision and accountability measures.

86. The actions and omissions of the Defendants constituted discrimination against Mr. Hobbs by, denying him the benefits of appropriate police services, subjecting him to unnecessary physical force and harm, failing to modify procedures to accommodate his disability, and treating him in a manner that exacerbated his physical limitations.

87. The discrimination against Mr. Hobbs was intentional and/or demonstrated deliberate indifference to his federally protected rights, as evidenced by the disregard for multiple notifications about his disability, continued use of force despite knowledge of his limitations and failure to modify standard procedures despite the clear necessity and absence of reasonable accommodations in department policies and training.

88. As a direct and proximate result of Defendants' violations of the ADA, Mr. Hobbs suffered, physical injury and pain, exacerbation of his existing disability, emotional distress and mental anguish, and humiliation and loss of dignity.

89. Under 42 U.S.C. § 12133 and 29 U.S.C. § 794a, Mr. Hobbs is entitled to compensatory damages, reasonable attorneys' fees, costs, and appropriate equitable relief.

Count VII – State Law – Assault

90. Plaintiffs repeat and reallege the foregoing paragraphs, as if fully set forth herein.

91. Plaintiffs filed timely and served a Notice of Injury and Claim for Monetary damages pursuant to Ind. Code § 34-13 with Defendants Lake County, Town of Winfield, Lake County Sheriff's Department, and the Winfield Police Department on August 23, 2024.

92. The Notice of Claim was deemed denied by the operation of law after allowing 90 days to elapse without receiving a formal and express disallowance of the claim.

93. The actions of Defendants constituted the tort of assault under Indiana state law and caused the injuries set forth above.

Count VIII – State Law – Battery

94. Plaintiffs reallege and incorporate by reference all preceding paragraphs as if fully set forth herein.

95. Plaintiffs timely filed and served a Notice of Injury and Claim for Monetary Damages pursuant to Ind. Code § 34-13-3-8 with the Defendants Lake County, Town of Winfield, Lake County Sheriff's Department, and Winfield Police Department on August 23, 2024.

96. The Notice of Claim was deemed denied by the operation of law after ninety (90) days had elapsed without receiving a formal and express disallowance of the

claim.

97. Defendant Paul Shane committed battery against Plaintiff Larry Hobbs by; knowingly and intentionally making harmful and offensive physical contact; forcibly grabbing Mr. Hobbs's arm without lawful justification; pulling him from the doorway of his residence; throwing him face-down onto the ground despite knowledge of his disability; and maintaining him in handcuffs while aware of his physical limitations.

98. The Defendant Chad Stroup committed battery against Plaintiff Airius Reed by knowingly and intentionally making harmful and offensive physical contact, forcibly twisting his arm behind his back, applying handcuffs with excessive tightness, and maintaining painful restraints after confirming his non-involvement in any crime.

99. Defendant Skyler Hofer committed a battery against Plaintiff Jasmine Hobbs by knowingly and intentionally making harmful and offensive physical contact, forcefully applying handcuffs without justification, and physically moving her to a patrol vehicle despite no evidence of criminal activity.

100. At the time of these batteries, no Plaintiff posed any threat to officer safety, no probable cause existed for any arrest, no Plaintiff was actively resisting and the force used exceeded any legitimate law enforcement purpose.

101. The actions of individual defendants were outside the scope of reasonable law enforcement conduct, undertaken without excessive legal justification in relation to any legitimate objective, and in violation of standard police practices and procedures.

102. As a direct and proximate result of these batteries, Plaintiffs suffered; physical pain and injury, emotional distress, mental anguish, medical expenses, and loss of dignity.

103. Municipal Defendants are liable for batteries committed by their respective employees, pursuant to Ind. Code § 34-13-3-5, as the individual Defendants were acting within the scope of their employment.

104. Plaintiffs seek compensatory damages for these batteries as permitted under Indiana law.

Count IX – State Law – Intentional Infliction of Emotional Distress

(IIED)

105. Plaintiffs repeat and reallege the foregoing paragraphs, as if fully set forth herein.

106. Defendant Paul Shane intentionally caused Plaintiff Larry Hobbs emotional distress by forcibly grabbing him, throwing him to the ground, and handcuffing him, despite knowing Mr. Hobbs was elderly and disabled.

107. Defendant Chad Stroup caused Plaintiff Airius Reed severe emotional distress by taunting him with a mocking language, twisting his arm behind his back, and detaining him unnecessarily after confirming his innocence.

108. Defendant Skylar Hofer caused Plaintiff Jasmine Hobbs' emotional distress by handcuffing her while her children were able to view this action, without any evidence linking her to criminal activity.

109. Defendants John and Jane Doe Officers caused minor Plaintiffs Z.K. and Z.R. severe emotional distress by entering their bedroom with firearms and flashlights activated.

110. The Defendants' actions were extreme, outrageous, and exceeded the bounds of human decency.

111. Defendants acted with the intent to cause severe emotional harm or

with a reckless disregard for the likelihood of causing such harm.

112. As a direct and proximate result of these actions, Plaintiffs suffered severe emotional harm, including anxiety, fear, humiliation, and psychological trauma.

113. Plaintiffs seek compensatory damages and other relief deemed appropriate by the Court.

Count X – Negligent Infliction of Emotional Distress (NIED)

114. Plaintiffs repeat and reallege the foregoing paragraphs, as if fully set forth herein.

115. Defendant Paul Shane negligently caused the Plaintiff Larry Hobbs emotional distress by failing to accommodate his known disability and demanding that he stand after throwing him to the ground.

116. Defendant Chad Stroup negligently caused Plaintiff Airius Reed emotional distress by detaining him unnecessarily and taunting him, despite evidence that he did not match the suspect's description.

117. Defendant Skylar Hofer negligently caused Plaintiff Jasmine Hobbs and her children's emotional distress by handcuffing her in front of the children and placing her in a patrol vehicle without justification.

118. Defendant John and Jane Doe Officers negligently caused minor Plaintiffs Z.K. and Z.R. emotional distress by entering their bedroom at night with firearms, creating an intimidating and frightening environment.

119. Defendants' actions created an unreasonable risk of causing severe emotional harm, which was foreseeable under these circumstances.

120. As a direct and proximate result of these actions, Plaintiffs suffered emotional harm, including but not limited to anxiety, fear, and psychological trauma.

Count XI –Claim Against Defendants Lake County and Town of Winfield

121. Plaintiffs reallege and incorporate by reference all preceding paragraphs as if fully set forth herein.

122. The Municipal Defendants are liable under 42 U.S.C. § 1983 for: a) Compensatory damages; b) Costs of suit; c) Reasonable attorney's fees pursuant to 42 U.S.C. § 1988; d) Such other relief as the Court deems just and proper.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs Airius Reed, Jasmine Hobbs (individually and on behalf of Z.K. and Z.R., minor children), and Larry Hobbs respectfully request that this Court:

123. Enter judgment in their favor and against all Defendants on all counts;
124. Award compensatory damages against all Defendants, jointly and severally, in an amount to be determined at trial, for physical injuries and bodily harm, pain and suffering, emotional distress and psychological trauma, medical expenses, past and future, loss of liberty, loss of dignity, interference with familial relationships, and other economic losses and out-of-pocket expenses.
125. Award punitive damages against the individual Defendants in an amount sufficient to deter similar misconduct.
126. Award Plaintiffs reasonable attorneys' fees pursuant to: 42 U.S.C. § 1988 for civil rights violations and 42 U.S.C. § 12205 for ADA violations.
127. Award Plaintiffs costs of suit and litigation expenses;
128. Grant such other and further relief as this Court deems just and proper under the circumstances.

JURY DEMAND

Pursuant to Federal Rule of Civil Procedure 38(b), Plaintiffs demand a trial by jury on all issues so triable

Dated: December 25, 2024

Respectfully submitted,
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