

2. Defendant Police Chief Richard Allen, Deputy Police Chief Brian Evans, and Officer Isiah Price III were employees of the Gary Police Department and/or the Defendant City of Gary; were agents of the City of Gary; and at all times relevant hereto acting under the color of state law as employees of Gary Police Department.
3. Defendant Mayor Karen Freeman was an elected official/employee of the Defendant City of Gary; was an agent of the City of Gary; and at all times relevant hereto acting under the color of state law as an elected official/employees of the City of Gary.
4. Defendant City of Gary is a municipal corporation and political subdivision of the State of Indiana, organized and existing under the laws of the State of Indiana.
5. Gary Police Department is a governmental agency doing business in the City of Gary, County of Lake, State of Indiana, and is the Defendant, City of Gary's police department.
6. Broad Ridge LLC and Majestic Security INC. are registered corporations in the state of Indiana and are doing business in the City of Gary, County of Lake, State of Indiana, and are Defendants.
7. Defendant Shannon Huffman is an employee of the Indiana Child Protective Services Department and has an office in the City of Gary, County of Lake, State of Indiana.
8. Venue is proper pursuant to 28 U.S.C. § 1391(e) in that all Defendants are located within the judicial district of the United States District Court for the Northern District of Indiana and all or a substantial part of the events giving rise to the claims occurred in the Northern District of Indiana.
9. This Court has original jurisdiction over the subject matter of this Complaint pursuant to 42 U.S.C. § 1983 and 28 U.S.C. § 1331.

SUMMARY OF RELEVANT FACTS

10. Plaintiff, Edward Strauss, herein incorporates by reference paragraphs one (1) through six (6) as if set out in their entirety herein.

On or about May 22, 2018, Strauss arrived at 661 Broadway Gary, IN to film the exterior of the building for a journalistic publication. Strauss did so from a public location and never entered the building. Strauss did not threaten anyone with harm of any type. In-fact Strauss spoke with Captain Ken of Majestic twice and informed him of what he was doing there. Upon the third encounter with Captain Ken, Strauss was bombarded with harassment, threats, unlawful detention, and racial remarks by several Majestic security guards.

11. On or about On May 23, 2018, Strauss returned to 661 Broadway Gary, IN (owned by Broad Ridge LLC) to take care of business he had with one of Broad Ridge's State of Indiana Agency tenets regarding an insurance matter. While minding his own business he was once again harrassed by several Majestic security guards. Strauss was not recording that day nor was he accused of recording that day however he was still harassed while trying to conduct his business in the most peaceful non disruptive manner possible. Despite being harassed and stalked while conducting his business he was peaceful in return and made no threats and left when his business was concluded.

12. On or about May 25th, 2018, Shannon Huffman via the Indiana States Attorney Generals Office filed with the Lake County Court for a protective order claiming that she was directly threatened by Strauss. That protective order had not been served and expired on 7/17/2018 according to court documents. The original order was for only 15 days and was set to expire on: June 15th, 2018. Irregardless of this fact the order had not been served upon Strauss and violation of a protective order was not a valid arrestable offense on June 20th, 2018.

13. On 6/20/2018 at 661 Broadway Gary, IN Strauss entered the building unaware of any protective order against him. He arrived at that location due to a directive by a phone support rep stating that the paperwork that was previously filed to fix his insurance coverage issue was not filed properly and that the caseworker that filed that paperwork would need to fix it. Due to prior harassment he had experienced he chose to audio record his visit that day. He turned on that audio recording before he walked in to the moment it was shut off at the police station.
14. During STRAUSS'S visit on the 20th of June, 2018 Dave with Majestic approached him and started harassing him about being there and him needing to leave. Told him there was a protective order yet he had never been served one which was supported by the Indiana Protection Order Database. The Gary Police Department was called on Strauss. Before officers arrived several guards working for Majestic assaulted him and threatened him with physical and verbal violence and threats as heard on the audio recording.
15. On 6/20/2018 when officers from the GPD arrived on scene they were either not properly trained or willfully in disregard for Strauss's rights under the U.S. Constitution and when they may lawfully ask for ID under Indiana Statute. Officer Price III asked for Strauss's id in order to investigate whether or not Strauss was violating a protective order. Strauss was not obligated to provide his id for that purpose and is protected by both the U.S. Constitution and Indiana Statute for this matter. When Strauss refused to provide id unless he was required to under Title 34 of Indiana Code Price arrested Strauss for failure to ID under Title 34 of Indiana Code as a primary and only charge. Audio recording will reflect this.
16. Price then after cuffing Strauss and telling him he is under arrest, unlawfully violated Strauss rights by reaching into Strauss pocket that only had cards and other papers in it and pulled out his ID. Strauss contends that this search was unlawful and a direct violation of his rights.

17. Price had not conducted a proper investigation of the situation with all information made available to him. He charged Strauss with a second charge of violating a protective order. Had he done so he would have found that the order had not been served and therefore did not provide for a lawful arrest for violation of a protective order. Either this was due to improper training or willful disregard but the fact remains that the resources were available to first determine if the protective order that was presented to him on paper was served since Strauss had stated to Price that he knew nothing of the order and he was never served.
18. At no time during the audio recording of the visit can anyone be heard in disgust over anyone being spit on yet over 15 – 20 people were in the lobby hall at any given point. In addition you can hear one of the guards from Majestic tell Price after Strauss was cuffed that he needs to go to jail due to the protective order. At no time did any one mention that bodily fluids came in contact with anyone. None the less Price charged Strauss with Battery with Bodily Fluids and violation of a protective order. Failure to ID was never brought as a formal charge and only used to cuff and unlawfully search the inside of his pockets.
19. That at all times relevant to this Complaint herein, Strauss contends that Price along with several guards employed by Majestic conspired intentionally, recklessly, with deliberate indifference, alone or together to deprive him of both his rights and just due process.
20. Strauss contends that Price whom is a direct subordinate of the GPD, City of Gary, and Mayor Karen Freeman Wilson acted outside of his given authority and immunity due to either his lack of training by his employer or his intentional, reckless, with deliberate indifference, willful disregard for the rights of the citizens he has sworn to protect. It is not a question of did Price violate Strauss rights, because that is clear, but why he violated those rights and whom is responsible for those violations.

21. Strauss also contends that several guards lead by Captain Ken from Majestic also violated Strauss rights on multiple occasions and sought to due Strauss harm in any way they could.
22. Strauss contends that Huffman also conspired to deprive Strauss of his rights by filing a false protective order to prevent him from conducting business within the building where she works despite no direct contact with her nor reference to her.
23. That at all times relevant to this Complaint, as a direct and proximate result of the intentional, deliberate indifference, and reckless behavior, that GPD Officer Price caused, Strauss sustained and incurred compensatory damages due to these events along with unrecoverable physical injury and ongoing extreme emotional distress due to needlessly aggravating Strauss PTSD symptoms. incurred medical expenses; and will continue to suffer these damages in the future.

COUNT I
FEDERAL CLAIM AGAINST OFFICER ISIAH PRICE III
42 U.S.C. §1983

24. Comes now Edward Strauss, and for Count I of his cause of action against Officer Price, and herein incorporates by reference the allegations as set forth in paragraphs one (1) through twenty-three (23) of Plaintiff Complaint for Damages as if set out in their entirety herein.
25. On or about June 20th, 2018 Officer Price acted under color of state law when he interacted with Strauss during a police encounter, at or near the vicinity located on or about 661 Broadway in the City of Gary, County of Lake, State of Indiana.
26. Defendant Price unlawfully arrested Strauss and unlawfully searched Strauss..
27. Defendant Price's acts were a proximate cause of a deprivation of Strauss's rights and privileges as guaranteed by the United States Constitution.

28. Defendant Price's conduct deprived Strauss of his rights, privileges, and immunities guaranteed by the Fourth and Fifth Amendment of the United States Constitution in violation of 42 U.S.C. § 1983.
29. Defendant Price's conduct deprived Strauss of his right to be secure in his own person and effects from unreasonable searches and seizures as secured by the Fourth Amendment of the United States Constitution in violation of 42 U.S.C. § 1983.
30. Defendant Price's conduct deprived Strauss of his right to not self incriminate as secured by the Fifth Amendment of the United States Constitution in violation of 42 U.S.C. § 1983.
31. Defendant Price's conduct deprived Strauss of his right to be free from stolen liberty without due process as secured by the Fifth Amendment of the United States Constitution in violation of 42 U.S.C. § 1983.
32. Defendant Price acted in reckless or callous disregard of Strauss's rights protected by the Constitution and laws of the United States and/or Defendant Price intentionally violated federal law.
33. As a direct and proximate result of the careless, intentional, callous, and reckless behavior of Defendant Price, Strauss sustained serious and permanent physical injuries; suffered severe physical pain and emotional distress; incurred medical expenses; and will likely continue to suffer these damages in the future.

WHEREFORE, Edward Strauss demands judgment against Defendant Price that will fully and fairly compensate him for his losses and damages, for prejudgment interest, for post judgment interest, attorney fees, punitive damages, and for all other relief just and proper.

COUNT II

FEDERAL CLAIM AGAINST CITY OF GARY
42 U.S.C. §1983

34. Comes now Edward Strauss, and herein incorporates by reference the allegations as set forth in paragraphs one (1) through thirty-three (33) of Plaintiffs' Complaint for Damages as if set out in their entirety herein.
35. Defendant, the City of Gary, deprived Strauss of his rights guaranteed by the United States Constitution by maintaining a policy, custom, or practice of deliberate indifference towards police misconduct, by and through Gary Police Department and/or the City of Gary, such that disciplinary action rarely, if ever, results from citizen complaints and/or officer misconduct and officers have no reason to fear disciplinary action for misconduct with civilians.
36. Defendant, the City of Gary, deprived Strauss of his rights guaranteed by the United States Constitution by maintaining a policy, custom, or practice of deliberate indifference, by and through GPD and/or the City of Gary, towards the need for investigation of the use of excessive force by officers against civilians such that officers have no reason to fear disciplinary action or criminal prosecution for unlawful acts.
37. Defendant, the City of Gary, deprived Strauss of his rights guaranteed by the United States Constitution by maintaining a policy, custom, or practice of deliberate indifference, by and through GPD and/or the City of Gary, towards the need for investigation of unlawful arrests and unlawful searches stemming from improperly conducted investigations, such that officers have no reasonable reason to fear disciplinary action or criminal prosecution for unlawful acts.
38. Defendant, the City of Gary, deprived Strauss of his rights guaranteed by the United States Constitution by maintaining a policy, custom, or maintaining a "code of silence," by and through GPD and/or the City of Gary, such that officers have no reason to fear that their misconduct

would be revealed by their fellow officers and such that they have reason to believe that they would be effectively immune if a complaint was filed.

39. Defendant, the City of Gary, deprived Strauss of his rights guaranteed by the United States Constitution by maintaining a policy, custom, or practice of deliberate indifference, by and through GPD and/or the City of Gary, to a pattern of excessive force by police officers against citizens.
40. Defendant, the City of Gary, deprived Strauss of his rights guaranteed by the United States Constitution by maintaining a policy, custom, or practice of deliberate indifference, by and through GPD and/or the City of Gary, to a pattern of unlawful searches and seizures by officers.
41. Defendant, the City of Gary, deprived Strauss of his rights guaranteed by the United States Constitution by maintaining a practice, custom, or policy of deliberate indifference, by and through GPD and/or the City of Gary, to the obvious need for training of officers in effectuating lawful searches and seizures as well as in the proper methods of conducting investigations while maintaining those citizens rights and still conducting a proper investigation of the facts..
42. Defendant, the City of Gary, deprived Strauss of his rights guaranteed by the United States Constitution by maintaining a policy, practice, or custom of deliberate indifference, by and through GPD and/or the City of Gary, to the need for investigation of unlawful arrests and deliberate misapplication of the law complaints made against officers.
43. Defendant, the City of Gary, deprived Strauss of his rights guaranteed by the United States Constitution by maintaining a policy, practice, or custom of deliberate indifference, by and through GPD and/or the City of Gary, to the need for investigation of unlawful search and seizure

complaints made against officers.

44. Defendant, the City of Gary's conduct in maintaining unlawful official policies, customs, and practices, by and through GPD and/or the City of Gary, proximately caused Strauss's injuries and damages.

WHEREFORE, Edward Strauss demands judgment against the City of Gary that will fully and fairly compensate him for his losses and damages, for prejudgment interest, for post judgment interest, attorney fees, punitive damages, and for all other relief just and proper.

COUNT III
FEDERAL CLAIM AGAINST GARY POLICE CHIEF
RICHARD ALLEN
42 U.S.C. §1983

45. Comes now Edward Strauss, and herein incorporates by reference the allegations as set forth in paragraphs one (1) through forty-four (44) of Plaintiffs' Complaint for Damages as if set out in their entirety herein.
46. Defendant Allen deprived Strauss of his rights guaranteed by the United States Constitution by maintaining a policy, custom, or practice of deliberate indifference towards police misconduct such that disciplinary action rarely, if ever, results from citizen complaints and/or officer misconduct and officers have no reason to fear disciplinary action for misconduct with civilians.
47. Defendant Allen deprived Strauss of his rights guaranteed by the United States Constitution by maintaining a policy, custom, or practice of deliberate indifference towards the need for investigation of the use of excessive force by officers against civilians such that officers have no reason to fear disciplinary action or criminal prosecution for unlawful acts.
48. Defendant Allen deprived Strauss of his rights guaranteed by the United States Constitution by

maintaining a policy, custom, or practice of deliberate indifference towards the need for investigation of unjustified arrests and unlawful searches such that officers have no reason to fear disciplinary action or criminal prosecution for unlawful acts.

49. Defendant Allen deprived Strauss of his rights guaranteed by the United States Constitution by maintaining a policy, custom, of maintaining a "code of silence" such that officers have no reason to fear that their misconduct would be revealed by their fellow officers and such that they have reason to believe that they would be effectively immune if a complaint was filed.
50. Defendant Allen deprived Strauss of his rights guaranteed by the United States Constitution by maintaining a policy, custom, or practice of deliberate indifference to a pattern of excessive force by police officers against citizens.
51. Defendant Allen deprived Strauss of his rights guaranteed by the United States Constitution by maintaining a practice, custom or policy of deliberate indifference to the obvious need for training of officers in handling proper and legal arrests..
52. Defendant Allen deprived Strauss of his rights guaranteed by the United States Constitution through a policy, practice, or custom of deliberate indifference to the need for investigation of excessive force complaints made against officers.
53. Defendant Allen deprived Strauss of his rights guaranteed by the United States Constitution through a policy, practice, or custom of deliberate indifference to the need for investigation of unlawful search and seizure complaints made against officers.
54. Defendant Allen conduct in maintaining unlawful official policies, customs, and practices proximately caused Strauss's injuries and damages.
55. Allen carelessly hired, retained and supervised Defendant Price as an employee.

56. Allen failed to use reasonable care in hiring Defendant Price as an Officer when Allen knew or in the exercise of reasonable diligence should have known that Defendant Price did not possess the qualifications, credentials, and/or temperament necessary for law enforcement officers.
57. Allen carelessly retained Defendant Price as an employee when Allen knew or in the exercise of reasonable diligence should have known that the Defendant did not possess the qualifications, credentials, and/or temperament necessary for a law enforcement officer.
58. Allen careless hiring, retention and supervision of Defendant Price proximately caused Strauss's deprivation of Constitutional rights.

WHEREFORE, Edward Strauss demands judgment against Police Chief Troy Allen that will fully and fairly compensate him for his losses and damages, for prejudgment interest, for post judgment interest, attorney fees, punitive damages, and for all other relief just and proper.

COUNT IV
INTENTIONAL WILLFUL AND WANTON MISCONDUCT
AGAINST ALL THE DEFENDANTS

59. Comes now Edward Strauss, and herein incorporates by reference the allegations as set forth in paragraphs one (1) through fifty-eight (58) of Plaintiffs' Complaint for Damages as if set out in their entirety herein.
60. That the wrongful conduct of all Defendants as alleged herein constitutes bad faith and wanton, willful and malicious conduct in that Defendants acted or failed to act when they knew or had reason to know that their conduct created unreasonable risk of physical and/or emotional to Strauss, and that a high probability that substantial harm would result.
61. Strauss requests the following relief:
- a. Award compensatory damages to Plaintiff against the Defendants in an amount in

excess of \$10,000, jointly and severally.

- b. Award punitive damages to the Plaintiff against each Defendant in an amount determined by the triers of fact request damages to exceed \$1,000,000.
- c. Create and Implement training by the Gary Police Department, Majestic Security, and Broad Ridge LLC specific to conducting interactions with the public without violating their rights while still effectively conducting their duties within 180 days of the judgment in this case,
- d. Withdrawal of the protective order by Shannon Huffman as referenced in this case,
- e. Award reasonable attorney fees and costs to the Plaintiff on all Counts of the Complaint; and
- f. Award such other and future relief as this Court may deem appropriate under 42 U.S.C. §1983 et seq.

JURY DEMAND

COMES NOW the Plaintiff, Edward Michael Strauss, pro se, and makes demand for trial by jury.

Dated January 18, 2019.

Respectfully Submitted,

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