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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CONNIE SEMPER¹, an individual; ASHLEY
MEDLOCK, an individual; LONICIA BOWIE, an
individual; MICHAEL GREEN, an individual;
CLINTON REECE, an individual; COREY
JOHNSON, an individual; DEMARLO RILEY, an
individual; CORY BASS, an individual; CARLOS
BASS, an individual; BREANNA NELLUMS, an
individual; and ANTONIO WILLIAMS, an
individual,

Plaintiffs,

Case No.: 2:20-cv-01875-JCM-EJY

**SECOND AMENDED
COMPLAINT FOR
DECLARATORY RELIEF,
INJUNCTIVE RELIEF, AND
DAMAGES PURSUANT TO 42
U.S.C. § 1983 AND NEVADA**

¹ Pursuant to FRCP 25, Ms. Semper has been substituted for Phillip Semper pursuant to this court's order dated January 13, 2022, as she is the executrix of his estate.

1 vs.

**STATE LAW AND DEMAND FOR
JURY TRIAL**

2 LAS VEGAS METROPOLITAN POLICE
3 DEPARTMENT, in its official capacity;
4 ANDREW BAUMAN, individually and in his
5 capacity as a Las Vegas Metropolitan Police
6 Department Officer; DAVID JEONG,
7 individually and in his capacity as a Las Vegas
8 Metropolitan Police Department Officer;
9 SUPREET KAUR, individually and in his
10 capacity as a Las Vegas Metropolitan Police
11 Department Officer;
12 MATTHEW KRAVETZ,
13 individually and in his capacity as a Las Vegas
14 Metropolitan Police Department Officer; and
15 THERON YOUNG, individually and in his
16 capacity as a Las Vegas Metropolitan Police
17 Department Officer,
18 Defendants.

12 Represented Plaintiffs, CONNIE SEMPER, ASHLEY MEDLOCK, LONICIA BOWIE,
13 MICHAEL GREEN, CLINTON REECE, COREY JOHNSON, and DEMARLO RILEY by and
14 through undersigned counsel, in their Second Amended Complaint, hereby allege as follows:
15

16 **I. INTRODUCTION**

17 On April 19, 2018, Plaintiff Cory Bass hosted a party to celebrate his birthday. He had
18 arranged to rent a large suite at the Rio Hotel and Casino (“Rio”). Mr. Bass invited his friends and
19 family, many of whom are Plaintiffs in this matter, to enjoy the night with him. The named Plaintiffs
20 in this action accepted this invitation, all coming to the Rio with the intent to wish Mr. Bass a happy
21 birthday.
22

23 For most of the evening, the party went as expected. Friends and family came and went.
24 Partygoers drank, socialized with each other, and made plans about where to go next. A small group
25 of guests worked on getting the room’s built-in speakers to function as the music intermittently cut
26 out. But at 2:43 a.m., there was a knock at the door. Mr. Bass answered to find a man in a dark gray
27 suit standing there. That man was Rio security officer John Carlisle.
28

1 Mr. Carlisle informed Mr. Bass that there had been a noise complaint from another guest
2 and Mr. Bass and his party were being evicted from the property. Mr. Bass pointed out that he had
3 not received any other warnings, and he offered to turn down the music. However, Mr. Carlisle was
4 adamant, stating that the party was over, and everyone would need to leave. Mr. Bass began to ask
5 for a refund when uniformed Las Vegas Metropolitan Police Department (“LVMPD”) officers
6 brushed past Carlisle, entered the room, detained Mr. Bass, and demanded that everyone in the suite
7 line up at the front door.
8

9 Unknown to Mr. Bass and his guests, Detective Nicholas Brigandi from LVMPD Criminal
10 Intelligence Unite (“CIU”) had been trawling social media earlier that evening when he spotted a
11 photograph that had been posted of Mr. Bass and three other people in the Rio’s elevator lobby.
12 The picture did not depict any crimes or weapons, but the photo caught Det. Brigandi’s attention
13 because Mr. Bass had been designated by LVMPD as a “gang member.” Due to spotting the
14 photograph, Det. Brigandi contacted a LVMPD FLEX team, a special police squad that engages in
15 “proactive policing,” headed by Defendant Andrew Bauman and comprised of Defendants Matthew
16 Kravetz, Theron Young, and Supreet Kaur. Det. Brigandi informed Officer Bauman of Mr. Bass’s
17 presence at the Rio, and the FLEX team traveled to the Rio to “prevent” any criminal activity.
18

19 Upon arrival, Bauman’s FLEX team contacted Rio security and informed them that Mr.
20 Bass had been designated as a “gang member” by LVMPD. Rio security in turn looked up Mr. Bass
21 in their hotel registry and determined that he had rented room 2037. Rio security allegedly also
22 reported that they had received a complaint reporting noise and the smell of marijuana. Bauman
23 and his FLEX team developed a “plan of action” with Rio security, and additional LVMPD officers
24 were called to the Rio. In total, approximately 72 officers were dispatched to the Rio for this matter.
25 LVMPD officers and a Rio security team, headed by Mr. Carlisle, then made their way to room
26 2037 to contact an unsuspecting Mr. Bass and his guests.
27
28

1 After entering room 2037, LVMPD officers systematically detained everyone in the room
2 and funneled the partygoers out the front foyer. At the entrance, LVMPD officers handcuffed most
3 occupants (including each of the Plaintiffs represented by the ACLU of Nevada), subjected them
4 to pat-down searches, and sat them out along the hallway outside the room for approximately six
5 (6) hours. Instead of investigating any specific criminal offense(s), LVMPD officers questioned
6 most individuals about why they were present at the party, who they knew, and ran everyone's
7 information for outstanding traffic warrants. While some Plaintiffs were arrested for traffic
8 offenses, and two for possessing firearms under their clothing, no one at the party was investigated
9 for marijuana possession/use nor was anyone accused of engaging in specific gang activity.

11 Despite the lack of gang activity, LVMPD publicly announced that its officers had broken
12 up a "gang party" to the media and claimed that all individuals arrested had been "gang members"
13 even though LVMPD's own records established that the claim was untrue. LVMPD then formally
14 designated the people present at the party, including the Plaintiffs, "gang members" or "gang
15 affiliates," basing many of those designations solely upon the individual's presence in room 2037
16 or their personal relationship to Cory Bass. LVMPD employees then entered this information into
17 GangNet, a national database intended to track gang activity and in the prosecution of gang-related
18 offenses, to which multiple government agencies, both at the state and federal levels, have access.

20 By designating Plaintiffs as "gang members" and "gang affiliates," LVMPD dragged
21 Plaintiffs into the agency's gang surveillance, investigation, and enforcement system, a system that
22 discriminates against the Black residents of Clark County. According to LVMPD's own statistics,
23 59% of designated "gang members" and "gang affiliates" in its database are Black as of 2021, a
24 disparity linked to the agency's broad definitions of "gang member" and "gang affiliate" coupled
25 with its explicit categorization of criminal street gangs by race.

27 For the Plaintiffs, being labelled a "gang member" or "gang affiliate" carries serious legal
28

1 consequences under Nevada law in addition to the stigma inherently associated with these
2 designations. They now bring this suit to address the violation of their rights under the United States
3 Constitution and federal law.

4 **II. JURISDICTION AND VENUE**

5 1. This matter was removed to federal court from the Eighth Judicial District Court of
6 Clark County, Nevada in October 2020.

7
8 2. This Court has jurisdiction pursuant to 28 U.S.C. § 1331 (federal question), 28
9 U.S.C. § 1343 (civil-rights violations), 28 U.S.C. § 2201 (declaratory relief), and 28 U.S.C. § 2202
10 (injunctive relief).

11 3. This Court also has jurisdiction pursuant to First, Fourth, and Fourteenth
12 Amendments of the United States Constitution, 42 U.S.C. § 1983 (deprivation of rights), and 42
13 U.S.C. § 2000d (discrimination by program receiving federal financial assistance).

14 4. Venue is proper pursuant to 28 U.S.C. § 1391(b) as the events giving rise to these
15 claims occurred in the District of Nevada, specifically in the City of Las Vegas, County of Clark.

16
17 **III. PARTIES**

18 **A. REPRESENTED PLAINTIFFS**

19 5. Plaintiff, CONNIE SEMPER (“SEMPER”), is, and was at all times relevant herein,
20 a citizen of the United States of America and a resident of Clark County in the State of Nevada.
21 She is the executrix of PHILLIP SEMPER’S estate and substituted as a party to this action as the
22 estate’s representative after PHILLIP SEMPER’s death.

23
24 6. Plaintiff, ASHLEY MEDLOCK (“MEDLOCK”), is, and was at all times relevant
25 herein, a citizen of the United States of America and a resident of Clark County in the State of
26 Nevada.

27 7. Plaintiff, LONICIA BOWIE (“BOWIE”), is, and was at all times relevant herein, a
28

1 citizen of the United States of America and a resident of Clark County in the State of Nevada.

2 8. Plaintiff, MICHAEL GREEN (“GREEN”), is, and was at all times relevant herein,
3 a citizen of the United States of America and a resident of Clark County in the State of Nevada.

4 9. Plaintiff, CLINTON REECE (“REECE”), is, and was at all times relevant herein, a
5 citizen of the United States of America and a resident of Clark County in the State of Nevada.

6 10. Plaintiff, COREY JOHNSON (“JOHNSON”), is, and was at all times relevant
7 herein, a citizen of the United States of America and a resident of Clark County in the State of
8 Nevada.

9 11. Plaintiff, DEMARLO RILEY (“RILEY”), is, and was at all times relevant herein, a
10 citizen of the United States of America and a resident of Clark County in the State of Nevada.

11 **B. UNREPRESENTED PLAINTIFFS**

12 12. Plaintiff, CORY BASS (“CORY BASS”), is, and was at all times relevant herein, a
13 citizen of the United States of America and a resident of Clark County in the State of Nevada.

14 13. Plaintiff, CARLOS BASS (“CARLOS BASS”), is, and was at all times relevant
15 herein, a citizen of the United States of America and a resident of Clark County in the State of
16 Nevada.

17 14. Plaintiff, BREANNA NELLUMS (“NELLUMS”), is, and was at all times relevant
18 herein, a citizen of the United States of America and a resident of Clark County in the State of
19 Nevada.

20 15. Plaintiff, ANTONIO WILLIAMS (“WILLIAMS”), is, and was at all times relevant
21 herein, a citizen of the United States of America and a resident of Clark County in the State of
22 Nevada.

23 **C. DEFENDANTS**

24 16. Defendant, LAS VEGAS METROPOLITAN POLICE DEPARTMENT
25
26
27
28

1 (“LVMPD”), is a legal entity for the purposes of 42 U.S.C. § 1983 operating in Clary County,
2 Nevada. Defendant LVMPD is responsible for the hiring, control, and supervision of all its police
3 officers and agents, as well as for the implementation and maintenance of official and unofficial
4 policies and practices pertaining to the day-to-day functioning of its officers and agents.

5
6 17. Defendant, ANDREW BAUMAN (“BAUMAN”), is and was at all times relevant
7 hereto, a law enforcement officer with LVMPD, P# 9982. He is sued in his individual capacity as
8 to Plaintiffs’ claims arising under 28 U.S.C. § 1983 and is sued in his individual capacity and as an
9 officer or employee of the State of Nevada or any of its agencies or political subdivisions as to
10 Plaintiffs’ state law claims.

11
12 18. Defendant, DAVID JEONG (“JEONG”), is and was at all times relevant hereto, a
13 law enforcement officer with LVMPD, P# 14997. He is sued in his individual capacity as to
14 Plaintiffs’ claims arising under 28 U.S.C. § 1983 and is sued in his individual capacity and as an
15 officer or employee of the State of Nevada or any of its agencies or political subdivisions as to
16 Plaintiffs’ state law claims.

17
18 19. Defendant, SUPREET KAUR (“KAUR”), is and was at all times relevant hereto, a
19 law enforcement officer with LVMPD, P# 16227. He is sued in his individual capacity as to
20 Plaintiffs’ claims arising under 28 U.S.C. § 1983 and is sued in his individual capacity and as an
21 officer or employee of the State of Nevada or any of its agencies or political subdivisions as to
22 Plaintiffs’ state law claims.

23
24 20. Defendant, MATTHEW KRAVETZ (“KRAVETZ”), is and was at all times relevant
25 hereto, a law enforcement officer with LVMPD, P# 15346. He is sued in his individual capacity as
26 to Plaintiffs’ claims arising under 28 U.S.C. § 1983 and is sued in his individual capacity and as an
27 officer or employee of the State of Nevada or any of its agencies or political subdivisions as to
28 Plaintiffs’ state law claims.

21. Defendant, THERON YOUNG (“YOUNG”), is and was at all times relevant hereto, a law enforcement officer with LVMPD, P# 15103. He is sued in his individual capacity as to Plaintiffs’ claims arising under 28 U.S.C. § 1983 and is sued in his individual capacity and as an officer or employee of the State of Nevada or any of its agencies or political subdivisions as to Plaintiffs’ state law claims.

22. All individual defendants named herein, upon information and belief, are, and were at all times relevant herein, citizens of the United States and citizens and residents of the State of Nevada.

IV. FACTUAL ALLEGATIONS

(As to all Represented Plaintiffs unless otherwise noted)

23. LVMPD is, and was at all times relevant hereto, the employer of Defendants BAUMAN, KRAVETZ, KAUR, JEONG, and YOUNG.

D. AUGUST 18, 2018, BIRTHDAY PARTY AT RIO HOTEL AND CASINO

24. On or about August 18, 2018, Represented Plaintiffs were present at the Rio Hotel and Casino in room 2037. *See* Declarations of Represented Plaintiffs, attached hereto as **EXHIBIT 1, ¶ 6 and EXHIBITS 2 – 7, ¶ 5.**

25. Represented Plaintiffs were present to attend a birthday party hosted by Unrepresented Plaintiff, CORY BASS. *Id.*

1. Represented Plaintiffs’ Relationship to Cory Bass

26. Plaintiff MEDLOCK was and is the sister of CORY BASS. Ex. 2, ¶ 6.

27. Plaintiff BOWIE was and is the sister-in-law of CORY BASS. Ex. 3, ¶ 6.

28. Plaintiff GREEN was and is the brother-in-law of CORY BASS. Ex. 4, ¶ 6.

29. Plaintiff REECE grew up with CORY BASS and CORY BASS his godbrother. Ex. 5, ¶ 6.

1 30. Plaintiff JOHNSON was and is related to CORY BASS in that they have a cousin
2 in common. Ex. 6, ¶6.

3 31. JOHNSON's family has been close to CORY BASS' family throughout their lives,
4 a relationship that stretches back multiple generations. Ex. 6, ¶ 7.

5 32. Every guest that attended the birthday party identified as Black and/or African
6 American. Ex. 1, ¶¶ 7,8; Exs. 2 – 5, ¶¶ 7-8; Ex. 6, ¶¶ 8 – 9; and Ex. 7, ¶¶ 6-7.

7
8 2. Room 2037 at the Rio Hotel and Casino

9 33. Upon information and belief, room 2037 was a suite reserved by Plaintiffs CORY
10 BASS and CARLOS BASS. Exs. 1 – 5, ¶ 9; Ex. 6, ¶ 10; and Ex. 7, ¶ 8.

11 34. Room 2037 was a large, multi-room suite that comfortably fit all individuals present
12 at the party. Exs. 1 – 5, ¶ 10; Ex. 6, ¶ 11; and Ex. 7, ¶ 9.

13 35. There were thirty-four (34) people in Room 2037 at 2:43 AM. Exs. 1 – 5, ¶ 11; Ex.
14 6, ¶ 12; and Ex. 7, ¶ 10.

15
16 3. Actions and Policy of Rio Security

17 36. Rio security allegedly received a noise complaint regarding room 2037 at some point
18 after 2:00 AM. March 7, 2019, Motion to Suppress Hearing Transcript, Vol. I, attached hereto as
19 **EXHIBIT 8**, Testimony of John Carlisle, ACLUNV 000114, 7:11-12.

20 37. Rio security staff claims that the noise complaint was made by another guest who
21 was staying on the same floor as room 2037. Ex. 8, Testimony of John Carlisle, ACLUNV 000114,
22 7:23-24.

23
24 38. Rio security staff said that the guest reported hearing loud music and smelling
25 marijuana smoke coming from room 2037. Ex. 8., Testimony of John Carlisle, ACLUNV 000114,
26 7:11-12.

27 39. Rio security staff indicated that the guest who reported the noise complaint was not
28

1 in his room at the time he contacted Rio security. Ex. 8., Testimony of John Carlisle, LVMPD
2 000115, 8:10-12.

3 40. Rio security reported that the guest allegedly called security from the casino floor.
4 Ex. 8., Testimony of John Carlisle, ACLUNV 000115, 8:10-12.

5 41. In response to the alleged noise complaint, Rio security staff, including security
6 supervisor John Carlisle, did not have any security officers come into contact with Room 2037 prior
7 to 2:43 AM nor warned the occupants of Room 2037 about the complaint prior to 2:43 AM. Ex. 8.,
8 Testimony of John Carlisle, ACLUNV 000114–000115, 8:25–9:1-15.

9 42. Rio security staff did not issue any warnings to the guests about their noise prior to
10 John Carlisle coming into contact with the occupants of Room 2037 at 2:43 AM.

11 43. Prior to 2:43 AM, Rio staff never indicated to any guests that they would be asked
12 to leave the premises if they did not reduce the level of noise.

13 44. Rio security staff did not contact LVMPD in relation to the noise complaint.

14 **E. DEFENDANTS' ACTIONS ON AUGUST 19, 2018**

15 1. LVMPD engages in social media surveillance

16 45. LVMPD's Central Intelligence Unit (CIU) compiles information collected from
17 other LVMPD officers and conducts surveillance on individuals it considers of interest for the
18 purpose of preventing violent crime. April 18, 2022, Deposition of Nicholas Brigandi, attached
19 hereto as **EXHIBIT 9**, 44:12-25.

20 46. BAUMAN, KRAVETZ, KAUR, and YOUNG received information from LVMPD
21 Central Intelligence Unit Detectives Nicholas Brigandi and/or Richard Moreno that a "gang party"
22 was occurring at the Rio. Ex. 8, Testimony of Andrew Bauman, ACLUNV 000214, 107:10-15.

23 47. LVMPD does not have a set definition for what is considered a "gang party".
24 November 9, 2021, Deposition of Andrew Bauman, attached hereto as **EXHIBIT 10**, 197:11-24.

1 48. Detective Brigandi obtained the information about the party CORY BASS was
2 hosting a party at the Rio from reviewing social media accounts. Ex. 8, Testimony of Andrew
3 Bauman, ACLUNV 000215–000216, 108:24-25 – 109:1-2; Ex. 9, 147:17–25.

4 49. Specifically, Detective Brigandi observed on social media a photograph of CORY
5 BASS and other individuals not party to this action in the elevator lobby of a hotel. Ex. 9, 147:17–
6 25.

7
8 50. At this time, Detective Brigandi does not recall whether the photograph depicted any
9 criminal conduct or whether any of the men were holding firearms. Ex. 9, 165:5–9.

10 51. The text message containing the photograph was not preserved by LVMPD officers.
11 Ex. 9, 171:20-25 – 172:1-22.

12 52. Detectives working in LVMPD’s CIU frequently provide information to LVMPD
13 area command FLEX teams. Ex. 9, 69:21-25 – 70:5-14.

14
15 53. BAUMAN, KRAVETZ, KAUR, and YOUNG were operating as a FLEX team
16 assigned LVMPD’s Convention Center Area Command (“CCAC”). Ex. 10, 12:17 – 19 & 13:2 – 5.

17 54. FLEX teams are LVMPD police units that engage in proactive policing and are not
18 routine patrol units. Ex. 10, 13:6 – 7.

19 55. BAUMAN was the supervising sergeant of this particular FLEX team. *See* Ex. 10,
20 at 12 – 13.

21
22 56. On August 19, 2018, BAUMAN, KRAVETZ, KAUR, and YOUNG were dressed
23 in green LVMPD uniforms which were typically worn by LVMPD FLEX team members. Ex. 10,
24 14:23-25 – 15:1-3

25 57. As the CIU detective assigned to CCAC, Detective Brigandi provided information
26 about parties to BAUMAN and BAUMAN’s FLEX team approximately every month leading up to
27 August 19, 2018, approximately 12 to 16 times in total. Ex. 10, 207:14-25 – 208:1.
28

1 58. On or about August 19, 2018, Brigandi and/or Moreno informed BAUMAN,
2 KRAVETZ, KAUR, JEONG, and YOUNG that three (3) alleged gang members were at the Rio
3 that evening: CORY BASS and two (2) other men. Ex. 8, Testimony of Andrew Bauman, ACLUNV
4 000216, 109:3-16.

5 59. BAUMAN, KRAVETZ, KAUR, and YOUNG did not independently verify the
6 information provided by Brigandi and/or Moreno prior to arriving at the Rio. Ex. 8, Testimony of
7 Andrew Bauman, ACLUNV 000227–000229, 120:24-25, 121:1-25, 122:1:23.

8 60. Brigandi, Moreno, BAUMAN, KRAVETZ, KAUR, or YOUNG had no evidence
9 that any criminal activity was or would be happening at the party at the Rio. Ex. 8, Testimony of
10 Andrew Bauman, ACLUNV 000232, 125:7-16

11 61. BAUMAN, KRAVETZ, KAUR, and YOUNG travelled to the Rio Hotel and Casino
12 to investigate the information provided by Brigandi and Moreno. Ex. 8, Testimony of Andrew
13 Bauman, ACLUNV 000214, 107:10-15.

14 2. LVMPD arrives at the Rio Hotel and Casino

15 62. At approximately 2:10 a.m., LVMPD officers BAUMAN, KRAVETZ, KAUR, and
16 YOUNG arrived at the Rio and spoke with security staff. Ex. 8, Testimony of Andrew Bauman,
17 ACLUNV 000214, 107:6-18.

18 63. Upon arrival at the Rio, BAUMAN informed Rio security officer John Carlisle
19 and/or his subordinates that LVMPD had reason to believe there was a “gang party” taking place
20 on the premises. Ex. 8, Testimony of Andrew Bauman, ACLUNV 000215, 108:3:10.

21 64. Upon information and belief, in sharing this information with Rio security,
22 BAUMAN disclosed to Rio security officer John Carlisle and/or his subordinates that CORY BASS
23 had been designated as a “gang member” by LVMPD as well as the other individuals depicted in
24 the photograph observed by Brigandi. *See* Ex. 8, Testimony of John Carlisle, ACLU 000113, 6:13–
25
26
27
28

1 16.

2 65. Brigandi, Moreno, BAUMAN, KRAVETZ, KAUR, and YOUNG did not know in
3 which room the alleged “gang party” was taking place. Ex. 10, 79:21-25–80:1-3.

4 66. Upon information and belief, BAUMAN provided Rio security supervisor John
5 Carlisle and/or his subordinates the names and/or a photograph of one or more of the alleged “gang
6 members” who were allegedly on the premises and said that they wanted to make contact with those
7 individuals. *See* Ex. 8, Testimony of John Carlisle, ACLU 000113, 6:13–16.

8 67. Rio security agreed to assist the LVMPD officers.

9 68. LVMPD officers never produced a warrant for any of the occupants of Room 2037
10 and Rio security never asked to see a warrant of any kind. Ex. 10, 85:19 – 25.

11 69. Upon information and belief, BAUMAN developed a plan to approach Room 2037,
12 which he shared with Rio security, including Carlisle and one or more Rio employees, in the Rio
13 security office prior to going up to the room. Ex. 8, Testimony of Andrew Bauman, ACLUNV
14 000217 – 000219, 110:2 – 112:23.

15 70. Rio security officer Carlisle and Rio employees took BAUMAN, KRAVETZ,
16 KAUR, and YOUNG, in addition to JEONG and/or other LVMPD officers who had since arrived
17 at the Rio, to Room 2037. Ex. 8, Testimony of Andrew Bauman, ACLUNV 000217 – 000219,
18 110:2 – 112:23.

19
20
21 3. Rio Security engages with Guests

22 71. Once at the door of room 2037, BAUMAN, KRAVETZ, KAUR, YOUNG, JEONG
23 and/or DOE LVMPD OFFICERS 1-10 took a tactical position, lining up along the walls on either
24 side of the door.² Ex. 8, Testimony of Andrew Bauman, ACLUNV 000220, 113:10-20.

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28

² LVMPD BWC 00049, Kravetz, Matthew 0243, 00:00–1:25.

1 72. BAUMAN, KRAVETZ, KAUR, YOUNG, JEONG and/or DOE LVMPD
2 OFFICERS 1-10 were obscured from the view of the person who would answer the door. Ex. 8,
3 Testimony of Andrew Bauman, ACLUNV 000220, 113:10-20.

4 73. Carlisle knocked on the door of room 2037.³

5 74. CORY BASS opened the door immediately.⁴

6 75. At time CORY BASS opened the door there was no music in Room 2037 because
7 the speakers in the room were not working at that time.⁵

8 76. No music is audible on the body-worn camera footage of LVMPD officers YOUNG
9 and KRAVETZ who were standing immediately next to the door when CORY BASS opened the
10 door.⁶

11 77. Carlisle said to CORY BASS, "We had some noise complaints, we're going to be
12 asking you to shut the party down and everybody leave."⁷

13 78. Even though the music wasn't currently playing because the in-room speaker wasn't
14 working, CORY BASS explained that this was the first the occupants of Room 2037 had heard of
15 a noise complaint and that he would turn the music down if it was a problem.⁸

16 79. In response, Carlisle repeated that everyone would have to leave.⁹

17 80. Carlisle did not explain why the guests were being evicted rather than receiving a
18 warning.¹⁰

19
20
21
22 _____
23 ³ LVMPD BWC 00049, Kravetz, Matthew 0243, 00:40.

24 ⁴ LVMPD BWC 00049, Kravetz, Matthew 0243, 00:40–1:25.

25 ⁵ LVMPD BWC 00049, Kravetz, Matthew 0243, 00:40–1:25.

26 ⁶ LVMPD BWC 00049, Kravetz, Matthew 0243, 00:40–1:25.

27 ⁷ LVMPD BWC 00049, Kravetz, Matthew 0243, 00:40–1:25.

28 ⁸ LVMPD BWC 00049, Kravetz, Matthew 0243, 00:00–1:25.

⁹ LVMPD BWC 00049, Kravetz, Matthew 0243, 00:00–1:25.

¹⁰ LVMPD BWC 00049, Kravetz, Matthew 0243, 00:40–1:25.

1 81. Carlisle did not say anything to CORY BASS or any other occupant of Room 2037
2 about the use or presence of marijuana.¹¹

3 82. CORY BASS and CARLOS BASS explained that they knew the Rio policy was to
4 offer warnings before evicting guests for a noise complaint.¹²

5 83. CORY BASS and CARLOS BASS indicated that they disagreed with the decision
6 but were not combative or belligerent.¹³

7 84. CORY BASS and CARLOS BASS asked if they could have their money back since
8 they were being evicted from the room.¹⁴

9
10 4. LVMPD enters room 2037

11 85. Approximately 46 seconds after Carlisle first knocked on the door of Room 2037,
12 BAUMAN, KRAVETZ, KAUR, and YOUNG entered into room 2037 or otherwise made their
13 presence known to the occupants of room 2037.¹⁵

14
15 86. Carlisle did not ask or otherwise indicate that BAUMAN, KRAVETZ, KAUR,
16 JEONG, YOUNG, and/or DOE LVMPD OFFICERS 1-10 should enter into Room 2037.¹⁶

17 87. BAUMAN stepped into the room and announced: “Everyone is being evicted.”¹⁷

18 88. YOUNG and KRAVTEZ physically entered into Room 2037 as BAUMAN made
19 his announcement.¹⁸

20 89. None of the guests, registered to Room 2037 or otherwise, gave consent for LVMPD
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22
23 ¹¹ LVMPD BWC 00049, Kravetz, Matthew 0243, 00:40–1:25.

24 ¹² LVMPD BWC 00049, Kravetz, Matthew 0243, 00:40–1:25.

25 ¹³ LVMPD BWC 00049, Kravetz, Matthew 0243, 00:40–1:25.

26 ¹⁴ LVMPD BWC 00049, Kravetz, Matthew 0243, 00:40–1:25.

27 ¹⁵ LVMPD BWC 00049, Kravetz, Matthew 0243 at 1:25.

28 ¹⁶ LVMPD BWC 00049, Kravetz, Matthew 0243, 00:40–1:25.

¹⁷ LVMPD BWC 000074, Young, Theron 0243 at 1:30.

¹⁸ LVMPD BWC 00049, Kravetz, Matthew 0243 at 01:25

1 officers to enter the hotel room.

2 90. Either BAUMAN, KRAVETZ, KAUR, JEONG, YOUNG and/or DOE LVMPD
3 OFFICERS 1-10, immediately detained CORY BASS and CARLOS BASS and removed them
4 from the room.¹⁹

5 91. A Defendant officer handcuffed and frisked CORY BASS for weapons. He was not
6 carrying a firearm or any other weapon.
7

8 92. Of the three men that LVMPD detective Brigandi informed BAUMAN would be at
9 the party, only one, CORY BASS, was among the thirty-four (34) guests detained.

10 93. The other two men were not present during this incident.

11 94. A Defendant officer handcuffed and frisked CARLOS BASS for weapons. He was
12 not carrying a firearm or any other weapon.
13

14 95. Even though no weapons were found on either CORY BASS or CARLOS BASS,
15 BAUMAN, KRAVETZ, and YOUNG ordered every guest to line up at the suite's front door. Ex.
16 8, Testimony of Andrew Bauman, ACLUNV 000222, 115:14-16.

17 96. The Plaintiffs complied with this order. Ex. 8, Testimony of Andrew Bauman,
18 ACLUNV 000241, 134:11-25.

19 97. As the guests stood in line waiting to leave the room, more LVMPD officers arrived
20 on the scene.
21

22 98. Multiple guests can be heard on the LVMPD officers' body camera footage asking
23 if they were free to leave the room.²⁰

24 99. No effort by BAUMAN, KRAVETZ, KAUR, YOUNG or any other LVMPD officer
25

26 _____
27 ¹⁹ LVMPD BWC 00049, Kravetz, Matthew 0243, 01:28.

28 ²⁰ See LVMPD BWC 00049, Kravetz, Matthew 0243 at 09:30; LVMPD BWC 000074, Young, Theron 0243 at 2:13.

1 was made to determine whether the other two people identified by Brigandi besides CORY BASS
2 were at the party. Ex. 10, 118:9-119:12.

3 100. Once LVMPD officers entered, none of the occupants of room 2037 were free to
4 leave. Ex. 8, Testimony of Andrew Bauman, ACLUNV 000252, 145:2-9.

5 101. Guests were escorted out of the hotel room and into the hallway one-by-one, where
6 each Represented Plaintiff was subject to a search by BAUMAN, KRAVETZ, KAUR, JEONG,
7 YOUNG, or other LVMPD officers. *See* BWC, Kravetz 0243 2:49 (Lonicia Bowie), 3:42 (Semper),
8 5:39 (Johnson); Grimes 0248, 4:32 (Clinton Reece), 6:43 (Michael Green); Marcolini 0249, 8:20
9 (Demarlo Riley); Hoag 0250 5:57 (Ashley Medlock).

10 102. In total, all thirty-four (34) guests were detained. Ex. 8, Testimony of Andrew
11 Bauman, ACLUNV 000252, 145:2-9.

12 103. BAUMAN, KRAVETZ, KAUR, JEONG, YOUNG and/or DOE LVMPD
13 OFFICERS 1-10 ran identification checks on all occupants of Room 2037. Ex. 8, Testimony of
14 Andrew Bauman, ACLUNV 000252, 145:10-17.

15 104. Guests were forced to sit handcuffed on the floor in the hall outside of room 2037
16 for approximately six (6) hours.

17 105. While handcuffed in the hallway for multiple hours, Plaintiffs were not given access
18 to food, water, or a restroom facility.

19 5. Facts specific to Phillip Semper

20 106. PHILLIP SEMPER was brought out of the room.

21 107. BAUMAN handcuffed PHILLIP SEMPER.

22 108. BAUMAN subjected PHILLIP SEMPER to a pat down search.

23 109. As he was being searched, PHILLIP SEMPER informed BAUMAN that he had a
24 firearm on him. April 22, 2019, Motion to Suppress Hearing Transcript, Vol. IV, attached hereto as
25
26
27
28

1 **EXHIBIT 11**, ACLUNV 000405, 16:3–6.

2 110. BAUMAN continued frisking him for weapons and found the firearm. Ex. 11, 16:3:6

3 6. Facts specific to Ashley Medlock

4 111. Plaintiff MEDLOCK was brought out of the room. Ex. 2, ¶12.

5 112. BAUMAN, KRAVETZ, KAUR, JEONG, YOUNG, and/or DOE LVMPD
6 OFFICERS 1-10 handcuffed MEDLOCK. Ex. 2, ¶13.

7 113. A Defendant officer frisked MEDLOCK for weapons. Ex. 2, ¶14.

8 114. MEDLOCK was not carrying a firearm or any other weapon. Ex. 2, ¶15.

9 115. Plaintiff MEDLOCK was placed under arrest for her outstanding traffic warrants at
10 4:30 AM. Ex. 2 at 3, ¶ 21.

11 7. Facts specific to Lonicia Bowie

12 116. Plaintiff BOWIE was brought out of the room. Ex. 3., ¶12.

13 117. Plaintiff BOWIE was handcuffed. Ex. 3., ¶13.

14 118. BAUMAN frisked BOWIE for weapons. Ex. 3., ¶14.

15 119. BOWIE was not carrying a firearm or any other weapon. Ex. 3., ¶15.

16 120. Plaintiff BOWIE was placed under arrest for her outstanding traffic warrants at 4:41.

17 8. Facts specific to Michael Green

18 121. Plaintiff GREEN was brought out of the room. Ex. 4, ¶12.

19 122. BAUMAN, KRAVETZ, KAUR, JEONG, YOUNG, and/or DOE LVMPD
20 OFFICERS 1-10 officer handcuffed GREEN. Ex. 4, ¶13.

21 123. A Defendant officer frisked GREEN for weapons. Ex. 4, ¶14.

22 124. GREEN was not carrying a firearm or any other weapon. Ex. 4, ¶15.

23 125. Plaintiff GREEN was placed under arrest for his outstanding traffic warrants at 4:30
24 AM.

9. Facts specific to Clinton Reece

126. Plaintiff REECE was brought out of the room. Ex. 5, ¶12.

127. BAUMAN, KRAVETZ, KAUR, JEONG, YOUNG, and/or DOE LVMPD OFFICERS 1-10 officer handcuffed REECE. Ex. 5, ¶13.

128. A Defendant officer frisked REECE for weapons. Ex. 5, ¶14.

129. REECE was not carrying a firearm or any other weapon. Ex. 5, ¶15.

10. Facts specific to Corey Jonson

130. Plaintiff JOHNSON was brought out of the room. Ex. 6, ¶13.

131. Officer KRAVETZ frisked him for weapons. Ex. 6, ¶14.

132. Officer KRAVETZ handcuffed him. Ex. 6, ¶15.

133. JOHNSON was carrying a firearm.

11. Facts specific to Demarlo Riley

134. Plaintiff RILEY was brought out of the room. Ex. 7, ¶11.

135. BAUMAN, KRAVETZ, KAUR, JEONG, YOUNG, and/or DOE LVMPD OFFICERS 1-10 officer handcuffed RILEY. Ex. 7, ¶12.

136. A Defendant officer frisked RILEY for weapons. Ex. 7, ¶13.

137. RILEY was not carrying a firearm or any other weapon. Ex. 7, ¶14.

138. Defendant LVMPD officers collected a DNA sample from Plaintiff RILEY. Ex. 7, ¶19.

139. Defendant RILEY did not provide knowing and voluntary consent to LVMPD officers collecting his DNA.

12. Facts specific to multiple Represented Plaintiffs

140. After they were removed from room 2037 and subject to a pat down search, Plaintiffs PHILLIP SEMPER, JOHNSON, MEDLOCK, GREEN, REECE, RILEY, and BOWIE were asked

1 by LVMPD officers for their personal identifying information. Ex. 8, Testimony of Andrew
2 Bauman, ACLUNV 000252, 145:13-17.

3 141. LVMPD officers questioned PHILLIP SEMPER, JOHNSON, MEDLOCK, and
4 RILEY about why they were at the party and their relationship to other individuals that were
5 present.²¹

6 142. Plaintiffs MEDLOCK, GREEN, REECE, RILEY, and BOWIE were never
7 questioned by LVMPD officers about whether they or anyone else at the party had committed a
8 criminal offense. Exs. 2 – 5 at 3, ¶ 18; Ex. 7 at 3, ¶ 18.

9 143. Plaintiffs MEDLOCK, GREEN, REECE, RILEY, and BOWIE were not accused at
10 any point by LVMPD officers of committing any criminal offenses on August 19, 2018, or during
11 their time at the Rio Hotel and Casino. Exs. 2 – 5 at 3, ¶ 18; Ex. 7 at 3, ¶ 18.

12 144. Besides allegations related to the firearms seized by LVMPD officers, Plaintiffs
13 PHILLIP SEMPER and JOHNSON were never questioned by LVMPD officers about whether they
14 or anyone else had committed any criminal offenses. May 11, 2022, Deposition of Blake Walford,
15 attached as **EXHIBIT 12**, 286–288.

16 145. Besides allegations related to the firearms seized by LVMPD officers, Plaintiffs
17 PHILLIP SEMPER and JOHNSON were not accused at any point by LVMPD officers of
18 committing any criminal offenses on August 19, 2018, or during their time at the Rio Hotel and
19 Casino. Ex. 12, 286–288.

20 146. Defendant LVMPD officers photographed tattoos on the bodies of Plaintiffs
21 MEDLOCK, REECE, RILEY, and BOWIE. Ex. 2, 3:19.

22 147. Defendant LVMPD officers had Plaintiff REECE lift his shirt and expose his waist
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24
25
26

27 ²¹ See LVMPD BWC 000013, Denson, Aaron 0328 at 4:42 (“Take photographs (. . .) try to tie
28 everyone together).

1 and chest and photographed tattoos on Plaintiff REECE's abdomen and chest.²²

2 148. REECE's tattoos on his abdomen are not visible unless REECE pulls back his
3 clothing to expose his abdomen and chest.

4 149. REECE did not provide knowing and voluntary consent to LVMPD officers to
5 photograph his tattoos.

6 150. Plaintiffs SEMPER, JOHNSON, MEDLOCK, GREEN, and BOWIE were arrested
7 and transported to jail. Ex. 2 at 3, ¶ 20.

8 151. Plaintiffs SEMPER and JOHNSON were charged criminally for Carrying
9 Concealed Firearm or Other Deadly Weapon under NRS 202.350(1)(d)(3).

10 152. Plaintiffs MEDLOCK, GREEN, NELLUMS, WILLIAMS, and BOWIE were
11 arrested for outstanding traffic warrants. Ex. 2 at 3, ¶ 20.

12
13 **F. CONSEQUENCES OF AUGUST 19, 2018, INCIDENT**

14
15 13. Charges filed against Semper and Johnson are dismissed due to
16 unconstitutional search and seizure.

17 153. PHILLIP SEMPER's criminal case, Case No. 18F15424X, was heard in Las Vegas
18 Justice Court, Department 12.

19 154. PHILLIP SEMPER filed a motion to suppress evidence on the basis that the firearm
20 found on his person, the sole evidence giving rise to his charge of Carrying Concealed Firearm or
21 Other Deadly Weapon, was found as a result of a seizure and subsequent search that violated the
22 Fourth Amendment.

23 155. An evidentiary hearing was held on June 28, 2019, before the Honorable Diana
24 Sullivan, Justice of the Peace of Las Vegas, Nevada.

25 156. Defendants BAUMAN, KRAVETZ, and KAUR testified at the hearing.

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27
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²² LVMPD BWC 000046 Kaur, Supreet 0343, 1:35–2:11.

1 157. After hearing the testimony of BAUMAN, KRAVETZ, KAUR, and other witnesses,
2 the court granted PHILLIP SEMPER's motion to suppress, and the case against him was dismissed.
3 Ex. 11.

4 158. The court found that LVMPD's warrantless entry into room 2037 was unlawful.

5 159. The court found that there was "no reasonable suspicion of a crime afoot by any one
6 person and certainly not by each and every one of the guests." Ex. 11, ACLUNV 000403, 5:24-25–
7 6:1-2.

8 160. The court found that there was "no specific or credible evidence of any specific
9 criminal gang activity." Ex. 11, ACLUNV 000403, 8:17-18.

10 161. During the motion to suppress hearing, Defendants BAUMAN, KRAVETZ, and
11 KAUR testified that there was marijuana smoke in the room.

12 162. While the court agreed that smoking marijuana in a public place is a criminal activity
13 punishable by a misdemeanor, the court found that smoking marijuana in a private place is not a
14 crime. Ex. 11, ACLUNV 000404, 9:4-13.

15 163. The court found that a hotel room is a private place: "as a matter of law [] the public
16 is not invited or permitted into a rented hotel room without permission of the guest." Ex. 11,
17 ACLUNV 000404, 10:2-4.

18 164. The court found that, while smoking marijuana may be a violation of hotel policy,
19 smoking marijuana in a private suite is not a crime and is not a basis for reasonable suspicion.

20 165. The court found that no guest was cited or arrested for smoking marijuana in the
21 hotel room, an "marijuana was never mentioned to any of the guests as the potential crime being
22 investigated" by the LVMPD officers. Ex. 11, ACLUNV 000404, 12:21–24.

23 166. The court found that the fact Rio was evicting the occupants of Room 2037 did not
24 justify the detention any of the people in Room 2037 by LVMPD officers, stating "eviction is not
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28

1 a crime.” Ex. 11, ACLUNV 000404, 11:22.

2 167. The court noted that “everyone in the entire suite was systematically... and
3 indiscriminately detained by law enforcement.” Ex. 11, ACLUNV 000404, 10:17-20.

4 168. The court noted the inconsistency “that the officers contend that they were there to
5 help evict people, and in fact can be heard on the body cam video yelling, [‘]everyone has to leave
6 and your party’s over,[’] but yet they were not letting people leave.” Ex. 11, ACLUNV 000405,
7 14:1-6.

8 169. As to LVMPD’s assertion that each pat-down was an allowable weapons frisk, the
9 court noted that “a weapons frisk is only allowable [] when there is a proper detention of an
10 individual pursuant to [NRS] 171.123.” Ex. 11, ACLUNV 000405, 15:13-16.

11 170. The court also found that LVMPD officers had “no reasonable belief that Semper
12 specifically was armed and dangerous,” and “[t]he officers chose to the take the information that
13 they had on three specific individuals and indiscriminately apply it to everyone at the party, which
14 is not reasonable.” Ex. 11, ACLUNV 000405, 15:24-25–16:1-2.

15 171. The court did not credit BAUMAN’s testimony at the hearing, stating “Sargeant
16 Bauman seemed to insinuate . . . that as Semper exited the room Mr. Semper offered the information
17 that he had a gun and that is why [LVMPD officers] frisked him. That is simply not the case.” Ex.
18 11, ACLUNV 000406, 17:18-23.

19 172. The State of Nevada did not appeal the court’s ruling or factual findings.

20 173. Even though court of record in the State of Nevada found that BAUMAN,
21 KRAVETZ, KAUR, JEONG, YOUNG, and/or DOE LVMPD OFFICERS 1-10 violated the
22 Fourth Amendment of the United States Constitution, LVMPD failed to open an internal
23 investigation based on the court’s finding.

24 174. Even after the initiation of this lawsuit, Defendant LVMPD failed to open an
25
26
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28

1 internal investigation, a violation of its own policies.

2 175. Plaintiff JOHNSON's criminal case (Justice Court Dept. 9, Case No. 18F15425X)
3 was dismissed shortly after PHILLIP SEMPER's evidentiary hearing.

4 176. While defending himself in Case No. 18F15425X, Plaintiff JOHNSON paid \$800
5 to a bail bondsman and \$1,500 in legal fees.

6
7 14. Represented Plaintiffs designated as "gang members" or "gang affiliates"
8 by Defendant LVMPD and the designation is disclosed to media.

9 177. After the events giving rise to this Complaint, LVMPD broadcast to the public on
10 social media that it had "broke up a large gang party" where "over a dozen documented gang
11 members were arrested..."²³

12 178. News coverage of the arrests stated that the Plaintiffs and other guests were arrested
13 at a "gang party."²⁴

14 179. Some coverage included booking photos of one or more Plaintiffs.

15 180. Plaintiffs' friends, family, and employers saw these reports.

16 181. News reports specifically identified Plaintiffs PHILLIP SEMPER, JOHNSON,
17 MEDLOCK, GREEN as "gang members."²⁵
18
19
20
21
22

23 ²³ LVMPD Convention Center Area Command (@LVMPDCCAC), Twitter (Aug. 19, 2018,
11:04 AM), <https://twitter.com/LVMPDCCAC/status/1031240416119599110>.

24 ²⁴ E.g., Katherine Jarvis, Nine identified after gang party arrests at Rio Las Vegas hotel-casino,
25 KTNV Las Vegas (Aug. 19, 2018, 11:30 PM), [https://www.ktnv.com/news/gang-members-](https://www.ktnv.com/news/gang-members-arrested-at-local-casino)
26 [arrested-at-local-casino](https://www.ktnv.com/news/gang-members-arrested-at-local-casino); Phillip Moyer, Police break up 'large gang party' at Rio Hotel and
Casino, (Aug. 19, 2018) [https://news3lv.com/news/local/police-break-up-large-gang-party-at-rio-](https://news3lv.com/news/local/police-break-up-large-gang-party-at-rio-hotel-and-casino)
[hotel-and-casino](https://news3lv.com/news/local/police-break-up-large-gang-party-at-rio-hotel-and-casino).

27 ²⁵ Phillip Conneller, Las Vegas Metro Police Bust Rio Casino Hotel "Gang Party," But One
28 Reveler Says It Was Only a Birthday Bash, Casino.org (August 21, 2018, 10:30 AM),
<https://www.casino.org/news/las-vegas-police-bust-gang-party-at-the-rio-arrest-12/>.

1 182. When speaking with the media, LVMPD Captain John Leon described all partygoers
2 that were arrested, including Plaintiffs PHILLIP SEMPER, JOHNSON, MEDLOCK, and GREEN,
3 as “known gang members.”²⁶

4 183. Plaintiffs JOHNSON, MEDLOCK, and GREEN deny membership in any criminal
5 gang. Ex. 2 at 3, ¶ 23–24; Ex. 4 at 3, ¶ 23–24; Ex. 6 at 3, ¶ 22–23.

6 184. LVMPD’s official records, specifically the field interview cards, from August 19,
7 2018, do not describe Plaintiffs PHILLIP SEMPER, JOHNSON, and MEDLOCK as “gang
8 members”.

9 185. No person at the party, a birthday celebration, was arrested for criminal gang activity
10 on August 19, 2018.

11 186. Upon information and belief, LVMPD labelled all individuals present at the August
12 19, 2018 party, including all Plaintiffs, as either “gang members” or “gang associates.”

13 187. Upon information and belief, LVMPD has entered Plaintiffs PHILLIP SEMPER,
14 JOHNSON, MEDLOCK, BOWIE, GREEN, RILEY, and REECE information into LVMPD’s
15 GangNet system, which LVMPD uses to officially designate an individual as either a “gang
16 member” or “gang associate” as well as track individuals that it considers connected to gang
17 activity.
18

19
20 15. Plaintiffs’ Emotional Distress

21 188. Plaintiffs were all traumatized by the incident and have suffered extreme emotional
22 distress.
23

24 189. As a result of these events, Plaintiff PHILLIP SEMPER experienced severe stress
25 which resulted in trouble sleeping. PHILLIP SEMPER is anxious when driving and attending large
26

27
28 ²⁶ *Id.*

1 gatherings due to the fear that he may encounter law enforcement and be subjected to similar
2 treatment. PHILLIP SEMPER avoids hotels and casinos when possible due to anxiety. PHILLIP
3 SEMPER also suffered extreme embarrassment as a result of his name and booking photo being
4 widely distributed by LVMPD and media covering the events. PHILLIP SEMPER lost his job as a
5 result of these events and has experienced a long period of unemployment, causing significant
6 additional stress.
7

8 190. As a result of these events, Plaintiff MEDLOCK experienced extreme stress which
9 resulted in insomnia. MEDLOCK is anxious when driving, attending large gatherings, or visiting a
10 hotel or casino due to the fear that she may encounter law enforcement and be subjected to similar
11 treatment. MEDLOCK also suffered extreme embarrassment as a result of being forced to sit
12 handcuffed in the hallway for multiple hours, as well as her name and booking photo being widely
13 distributed by LVMPD and media covering the events. At the time of the events, MEDLOCK was
14 in school to be a paralegal and had just started a new job; her classmates and new coworkers saw
15 her name and photo in the news, causing significant additional embarrassment and stress.
16 MEDLOCK experienced physical pain as a result of spending multiple hours seated and
17 handcuffed. MEDLOCK continues to experience headaches. MEDLOCK also experienced
18 significant stress as a result of watching her brothers, Plaintiffs CORY BASS and CARLOS BASS,
19 be subjected to this treatment by law enforcement.
20
21

22 191. As a result of these events, Plaintiff BOWIE experienced severe stress. BOWIE is
23 anxious when driving and in large gatherings due to the fear that she may encounter law
24 enforcement and be subjected to similar treatment. BOWIE experienced a panic attack, with
25 physical symptoms including hyperventilation, increased heart rate, and shaking, while she was
26 transported from the Rio to the Clark County Detention Center.
27

28 192. As a result of these events, Plaintiff GREEN experienced severe stress which

1 resulted in trouble sleeping. GREEN is anxious when driving and attending large gatherings due to
2 the fear that he may encounter law enforcement and be subjected to similar treatment. GREEN
3 avoids hotels and casinos when possible due to anxiety. GREEN also suffered extreme
4 embarrassment as a result of being forced to sit handcuffed in the hallway for multiple hours, as
5 well as his name and booking photo being widely distributed by LVMPD and media covering the
6 events.
7

8 193. As a result of these events, Plaintiff REECE experienced extreme stress. REECE is
9 anxious when driving, attending large gatherings, and being in a hotel or casino due to the fear that
10 he may encounter law enforcement and be subjected to similar treatment. REECE also suffered
11 extreme embarrassment as a result of being forced to sit in the hallway handcuffed for multiple
12 hours.
13

14 194. As a result of these events, Plaintiff JOHNSON experienced extreme stress which
15 resulted in trouble sleeping. JOHNSON is extremely anxious when driving and attending large
16 gatherings due to the fear that he may encounter law enforcement and be subjected to similar
17 treatment. JOHNSON avoids hotels and casinos when possible due to anxiety. JOHNSON also
18 suffered extreme embarrassment as a result of being forced to sit handcuffed in the hallway for
19 multiple hours, as well as his name and booking photo being widely distributed by LVMPD and
20 media covering the events. JOHNSON experiences physical pain, including back and shoulder pain
21 and numbness in his hands, as a result of spending multiple hours seated and handcuffed.
22 JOHNSON has resultant bladder and bowel issues from being forced to hold his urine for multiple
23 hours.
24

25 195. As a result of these events, even a year later, Plaintiff RILEY experienced severe
26 stress which resulted in an anxiety attack, while on the strip, on at least one occasion. RILEY is
27 anxious in large crowds and in hotels and casinos due to the fear that he may encounter law
28

1 enforcement and be subjected to similar treatment.

2 **G. DEFENDANT LVMPD’S POLICIES AND PRACTICES**

3 1. “Party Crashers” or Unified Problem Abatement Concept Protocol

4 196. LVMPD has a training protocol known officially as the “party crashers” protocol.

5 197. The “party crashers” protocol is also referred to by LVMPD as the Unified Problem
6 Abatement Concept (UPAC).
7

8 198. Upon information and belief, LVMPD supervisors created and/or maintained this
9 protocol, which has been in use for over ten (10) years. Ex. 10 at 155.

10 199. LVMPD officers, including BAUMAN, have been trained to enact this protocol
11 when breaking up parties. Ex. 10 at 151.

12 200. BAUMAN had been present for multiple presentations on the “party crashers”
13 protocol. Ex. 10 at 151.
14

15 201. Information about the “party crashers” protocol was distributed by LVMPD’s Gang
16 Unit through a Gang Vice Bureau Weekly Area Command Information Bulletin shortly after May
17 26, 2018.

18 202. This information included a Power Point presentation describing the “party
19 crashers” protocol. *See* Unified Problem Abatement Concept: UPAC “Party Crashers”, attached as
20 **EXHIBIT 13**.
21

22 203. Upon information and belief, the “party crashers” protocol is disproportionately
23 used against Black and/or African American individuals and at parties where the guests are
24 predominantly Black and/or African American.

25 204. The protocol involves entering the premises where a party is taking place and
26 corralling as many people into a controlled space as possible.

27 205. Upon information and belief, the protocol requires officers to administer pat-downs
28

1 on every person who has been corralled and is being held in the space.

2 206. The protocol requires officers run record checks on every person who has been
3 corralled and is being held in the space.

4 207. The protocol requires officers to detain all people present until officers complete
5 their records check.

6 208. Upon information and belief, officers are trained to administer pat-downs and record
7 checks indiscriminately, regardless of whether there is reasonable suspicion that any one individual
8 has engaged, is engaging, or will engage in criminal activity.

9 209. BAUMAN, KRAVETZ, KAUR, JEONG, YOUNG, and/or DOE LVMPD
10 OFFICERS 1-10 used the “party crashers” protocol on the night of the events giving rise to this
11 Complaint.
12

13 210. Upon information and belief, BAUMAN, KRAVETZ. KAUR, JEONG, YOUNG,
14 and/or DOE LVMPD OFFICERS 1-10 have used the “party crashers” protocol to investigate and
15 end other parties on at Strip parties identified as “gang parties”.
16

17 211. When BAUMAN, KRAVETZ. KAUR, JEONG, YOUNG, and/or DOE LVMPD
18 OFFICERS 1-10 lined up all the occupants in Room 2037, this was based on the “party
19 crashers” protocol. Ex.11, 148:5–11.

20 212. When BAUMAN, KRAVETZ, KAUR, JEONG, YOUNG, and/or DOE LVMPD
21 OFFICERS 1-10 brought the occupants in Room 2037 through a single entrance or
22 “bottleneck” and then patted them down, this was based on the “party crashers” protocol. Ex.
23 10, 148:15–19.
24

25 213. When BAUMAN, KRAVETZ, KAUR, JEONG, YOUNG, and/or DOE LVMPD
26 OFFICERS 1-10 detained the occupants in the hallway outside Room 2037 and only released
27 individuals after completing a records check, this was based on the “party crashers” protocol.
28

1 Ex. 10., 149:17-25–150:1-3.

2 214. Upon information and belief, another party, on the same floor just down the hall and
3 attended predominately by white guests, was not interrupted by LVMPD officers nor did LVMPD
4 use the “party crashers” protocol on those partygoers.

5 2. Policies, or Lack Thereof, Related to Assisting Hotel Security

6 215. From 2018 to 2019, Clark County had 42,116,800 visitors with a room inventory
7 between 149,000 and 150,000 to services those visitors.²⁷

8 216. Unsurprisingly, these numbers mean that Clark County has more hotel rooms than
9 any other county in the United States.

10 217. Defendant LVMPD and its personnel are regularly called by hotel staff to assist with
11 situations involving hotel guests and other individuals, including evictions.

12 218. Defendants BAUMAN, KRAVETZ, YOUNG, and KAUR had all assisted hotel
13 staff in the context of their work as LVMPD personnel prior to August 19, 2018.

14 219. Defendants BAUMAN, KRAVETZ, YOUNG, and KAUR have claimed that they
15 were assisting Rio employees in evicting the Plaintiffs from the Rio Hotel and Casino on August
16 19, 2018.

17 220. Defendants BAUMAN, KRAVETZ, YOUNG, and KAUR have claimed that they
18 detained and searched the Plaintiffs on August 19, 2018, either wholly or in part due to the Plaintiffs
19 being evicted by Rio employees and related allegations of trespass.

20 221. Upon information and belief, Defendant LVMPD does not offer any trainings or any
21 policies to its personnel on how to handle requests for assistance from hotel staff, in particular the
22

23
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25
26 ²⁷ Las Vegas Historical Tourism Statistics, Las Vegas Convention and Visitors Bureau (Updated
27 July 2022),
28 http://res.cloudinary.com/simpleview/image/upload/v1657124125/clients/lasvegas/Las_Vegas_Historical_1970_to_2021_6daf7d31-5fd3-44b2-ad99-427bf62454ba.pdf.

1 Fourth Amendment rights of hotel guests and the constitutional limitations on LVMPD personnel
2 authority to detain, search, and interrogate hotel guests and other individuals during evictions.

3 3. LVMPD Gang-Related Policies and Practices

4 222. LVMPD Policy 5/206.16 describes Defendant LVMPD's response to "criminal
5 gangs" and individuals it describes as "gang members" and "gang affiliates or associates." LVMPD
6 Policy 5/206.16 "Department Response to Criminal Street Gangs", attached as **EXHIBIT 14**.
7

8 223. LVMPD Policy 5/206.16 lays out the criteria that LVMPD officers use to formally
9 designate an individual as a "gang member" or "gang affiliate or associate". Ex. 14.

10 224. Gang investigation and enforcement, including the practices and policies described
11 by LVMPD Policy 5/206.16, are primarily handled by the LVMPD Gang Unit. Ex. 14.

12 225. Upon information and belief, the LVMPD Gang Unit is made up of two types of
13 squads: Gang Enforcement and Gang Investigation. Ex. 12, 18–19.

14 226. Gang Enforcement squads engage in "proactive policing" techniques. Ex. 12, 18–
15 19.

16 227. Upon information and belief, these tactics including surveilling individuals believed
17 to be "gang members" or "gang affiliates" and conducting stops using traffic violations as a pretext
18 to investigate non-traffic related criminal offenses.
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20 228. LVMPD Gang Investigation squads are detectives engage in "reactive policing,"
21 following up on alleged crimes that LVMPD believes to be gang-related. Ex. 12, 19.

22 229. Multiple Gang Investigation detectives were present at the Rio on August 19, 2018.

23 230. The LVMPD Central Intelligence Unit (CIU) also plays an active role in LVMPD
24 gang investigation and enforcement. Ex. 9, 93–95.

25 231. Specifically CIU's objective is to "prevent" violent crime, leading CIU to target
26 individuals designated as members of criminal gangs for surveillance, investigation, and
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1 “preventative” measures. *See* Ex. 9, 181–183, 253–254.

2 232. Upon information and belief, LVMPD FLEX teams, including the team that
3 Defendants BAUMAN, KRAVETZ, YOUNG, and KAUR were assigned to on August 19, 2018,
4 assist LVMPD CIU Detectives by engaging in “proactive policing” similar to the LVMPD Gang
5 Enforcement squads and assisting in LVMPD’s CIU in that unit’s gang investigations.

6 233. As of January of 2018, LVMPD had active designations for 12,287 individuals as
7 “gang members” and 2,211 as “gang affiliates”. 8,232 of those individuals were identified as
8 “Black” by LVMPD, approximately 57% of the people designated as “gang members” or “gang
9 affiliates”. By comparison, only 2,648 were identified as White, approximately 18% of the
10 designees. LVMPD “Gang Liaison Officer Training” Powerpoint, Revised January 31, 2018,
11 attached as **EXHIBIT 15**, LVMPD 002632–002633.

12 234. As of January of 2021, LVMPD had active designations for 11,628 individuals as
13 “gang members” and 2,180 as “gang affiliates”. 8,136 of those individuals were identified as
14 “Black” by LVMPD, approximately 59% of the people designated as “gang members” or “gang
15 affiliates”. By comparison, only 1,923 were identified as White, approximately 14% of the
16 designees. LVMPD “Gang Liaison Officer Training” Standardized Lesson Plan, Revised February
17 19, 2021, attached as **EXHIBIT 16**, LVMPD 002914.

18 235. According the United States Census Bureau, “Black or African American” residents
19 make up only 13.6% of the Clark County population, residents identifying as “two or more races
20 5.3%, and residents identifying as “White alone” 68.0%.²⁸

21 236. Under LVMPD Policy 5/206.16, a “gang member” is any person who satisfies any
22 two of the following criteria:
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²⁸ <https://www.census.gov/quickfacts/clarkcountynevada>

- 1) Self-admits gang membership to an officer and the admission is “credible”.
- 2) The person is or has been arrested alone or with known gang members for offenses which are committed in furtherance of the gang.
- 3) The person has been identified as a gang member by a “reliable source/informant,” and “additional factors can be articulated to corroborate the claim”. The policy describes parents, teachers, law enforcement officers, and judges as reliable sources.
- 4) The person has been identified as a gang member by a “source/informant of untested reliability” and “additional factors can be articulated to corroborate claim”. The policy does not explain whether the “additional factors” for criteria #3 are different than criteria #4.
- 5) The person is wearing “gang attire” and the officer can corroborate that the style of attire is worn to represent or identify the subject as a member of a gang.
- 6) The person has gang specific tattoos which can be articulated to represent or identify the person as a gang member.
- 7) The person has been seen displaying symbols and/or hand signs which can be articulated to represent or identify the person as a gang member.
- 8) The person affiliates with known gang members and the officer can identify the affiliate by name and connection to specific gang.
- 9) The person self-admits during classification at the Clark County Detention Center or any local, state, or federal correction facility. Unlike criteria #1, this criteria does not require that the admission be “credible”. Ex. 14, LVMPD 000392.

237. LVMPD Policy 5/206.16 defines “additional factors” that corroborate gang membership as required by criteria #3 and #4 as “frequenting a known gang area, non-specific gang related tattoos, previously identified in a crime report, intelligence report, or any other official report

1 of a law enforcement agency.” Ex. 14, LVMPD 000392.

2 238. LVMPD Policy 5/206.16 defines an “gang affiliate/associate” as “an individual,
3 other than an identified gang member, who affiliates/associates with an active gang member(s) and
4 the relationship can be clearly identified.” This definition is functions identically to criteria #8 under
5 the definition of “gang member”. Ex. 14, LVMPD 000392.

6 239. LVMPD personnel, including Defendants BAUMAN, KRAVETZ, KAUR,
7 JEONG, and YOUNG, rely on the definitions in LVMPD Policy 5/206.16 to designate individuals
8 as “gang members” or “gang affiliates or associates.” May 16, 2022, Deposition of Theron Young,
9 attached as **EXHIBIT 17**, 292–295.

10 240. LVMPD personnel, including Defendants BAUMAN, KRAVETZ, KAUR,
11 JEONG, and YOUNG, relied on the definitions in LVMPD Policy 5/206.16 to designate Plaintiffs
12 JOHNSON, SEMPER, MEDLOCK, and BOWIE as “gang affiliates” and Plaintiffs REECE,
13 RILEY, and GREEN as “gang members” on August 19, 2018. Ex. 17 at 295.

14 241. LVMPD Policy 5/206.16 suffers from numerous constitutional defects.

15 242. LVMPD Policy 5/206.16 does not define the following terms:

- 16 • “self-admittance” as used in criteria #1 and #9;
- 17 • “credible” as used in criteria #1;
- 18 • “reliable” as used in criteria #2;
- 19 • “gang attire” as used in criteria #5;
- 20 • “gang specific tattoo” as used in criteria #6;
- 21 • “symbols and/or hand signs which can be articulated to represent or identify [the
- 22 person] as a gang member” as used in criteria #7;
- 23 • “affiliate” as used in criteria #8;
- 24 • “gang area” and “non-specific gang related tattoos” as used for “additional factors”
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1 for corroboration. *See* Ex. 14.

2 243. Defendant LVMPD does not have official list or similar resource for its employees
3 describing what clothing would qualify as “gang attire”. Ex. 12, 113–116; Ex. 17, 303–306.

4 244. A finding that a person has worn “gang attire” can be based on that person wearing
5 a particular color, sports paraphernalia, or clothing with the name of a deceased individual who was
6 a documented gang member, though such a finding is not limited to those options. Ex. 12, 98–104,
7 108–109

8 245. Defendant LVMPD does not have official list or similar resource describing what
9 tattoos would qualify as “gang specific” or “non-specific gang related” tattoos. *See* Ex. 12, 113–
10 114; Ex. 17 at 308.

11 246. Upon information and belief, Defendant LVMPD does not have an official list or
12 similar resource for its employees describing what “symbols and/or hand signs” represent or
13 identify a person as a gang member.

14 247. Upon information and belief, Defendant LVMPD does not have an official list or
15 similar resource for its employees describing what places qualify as “gang areas”.

16 248. There is no exception to LVMPD’s definition of “gang affiliate” or criteria #8 for
17 association with family members or association for the purpose of protected First Amendment
18 activity.

19 249. In fact, an LVMPD officer may determine that a person is “affiliated” with a gang
20 pursuant to criteria #8 or the definition of “gang affiliate or associate” based on *any* relationship to
21 a person who has been designated as a gang member, including familial relationships such as a
22 relationship as siblings or parent-child.

23 250. An LVMPD officer may determine that a person is an affiliate of a designated gang
24 member even if that person is unaware of that person’s status.
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1 251. There is no established way for a person to know whether a friend or family member
2 has been designated as a gang member by LVMPD prior to a determination of affiliation.

3 252. Upon information and belief, Defendant LVMPD does not define the terms listed in
4 Paragraph 242 of this Complaint for its officers during any training provided by LVMPD.

5 253. Defendant LVMPD only provides individual examples that would satisfy a
6 particular criteria, such as explaining that the Rolling 60's Crip gang wears blue would satisfy
7 criteria #5, rather than offering a comprehensive list of what clothing qualifies as "gang attire".

8 254. Upon information and belief, LVMPD officers may choose not to designate an
9 individual as a "gang member", "gang associate", or "gang affiliate" even if that individual satisfies
10 the criteria as described in LVMPD Policy 5/206.16. *See* Ex. 12, 124–125.

11 255. Upon information and belief, there is no standard for how LVMPD officers are to
12 use this discretion.
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14 256. If an LVMPD officer decides to designate a person as a "gang member", "gang
15 associate", or "gang affiliate", the officer completes a document known as a Field Interview card
16 describing the designation, the criteria supporting the designation, and factual basis the officer has
17 for satisfying the criteria. Ex. 12 at 76.

18 257. The Field Interview is then provided the LVMPD Gang Section for submission into
19 GangNet, LVMPD's surveillance database that tracks individuals that LVMPD suspects are
20 involved in or affiliated with criminal gang activity. Ex. 12, 166–167.

21 258. According to LVMPD policy, the Gang Section reviews each Field Interview card
22 to ensure that Field Interview card provides a factual basis for the relevant criteria before the
23 person's information on the card is submitted to GangNet. Ex. 14, LVMPD 000392–000393.

24 259. However, upon information and belief, the policy does not require that the Gang
25 Section verify the accuracy of the card's information prior to submission.
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1 260. Upon information and belief, in practice, information is submitted to GangNet from
2 cards that do not provide a factual basis supporting a person's designation as "gang member", "gang
3 associate", or "gang affiliate".

4 261. LVMPD trains its personnel to avoid mentioning GangNet or "gang files" in
5 "documents discoverable in court" or when testifying. LVMPD "Gang Enforcement, Identification
6 & Documentation" Standardized Lesson Plan, attached as **EXHIBIT 18**, LVMPD 001568–001569.

7 262. LVMPD explicitly advises its officers to avoid these references prevent having
8 GangNet "audited" by the courts. Ex. 18, LVMPD 001568–001569.

9 263. GangNet is regulated pursuant the United States Department of Justice regulation
10 28 CFR § 23 as a criminal intelligence network. Ex. 14.

11 264. While LVMPD manages GangNet in Southern Nevada, other law enforcement
12 agencies have the authority to submit information to and have access to GangNet, including 28 CFR
13 § 23.

14 265. An LVMPD officer does not need to know of any evidence that a person has
15 committed a crime or has been involved in criminal activity before designating that person a "gang
16 member", "gang associate", or "gang affiliate". Ex. 14; Ex. 12, 135:6–7.

17 266. This contradicts 28 CFR § 23.20, a federal regulation that LVMPD's gang
18 surveillance database must comply with and that requires that LVMPD must have reasonable
19 suspicion that an individual has committed a criminal offense before LVMPD may enter that
20 individuals information into GangNet.

21 267. LVMPD Policy 5/206.16 requires that LVMPD personnel provide notice to
22 individuals included in the GangNet system. Ex. 14.

23 268. In theory, LVMPD personnel send a letter to the last known address LVMPD has
24 for the person that has been designated a "gang member", a "gang associate", or a "gang affiliate".
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1 *See* Ex. 12, 141:18–21.

2 269. Plaintiffs JOHNSON, MEDLOCK, and BOWIE did not receive a letter or any other
3 notice written or otherwise that they were designated as “gang affiliates” by LVMPD based upon
4 their presence at the party on August 19, 2018. Ex. 2, ¶ 33; Ex. 3, ¶ 28; and Ex. 6, ¶ 31

5 270. Plaintiffs REECE, RILEY, and GREEN did not receive a letter or any other notice
6 written or otherwise that they were designated as “gang members” by LVMPD based upon their
7 presence at the party on August 19, 2018. Ex. 4, ¶ 31; Ex. 5, ¶ 26; and Ex. 7, ¶ 26.

8 271. It is unknown if Plaintiff PHILLIP SEMPER received any written notice of his
9 designation as a “gang affiliate” by LVMPD based upon his presence at the party on August 19,
10 2018.

11 272. LVMPD Policy 5/206.16 provides individuals the right to contest their designation
12 in the GangNet system as a “gang member”, “gang associate”, or “gang affiliate”. In theory, an
13 individual can either submit evidence to challenge their designation or request an interview with
14 the same objective. Ex. 14 at LVMPD 000393.

15 273. In practice, the LVMPD Gang Section has the sole authority to remove an individual
16 from GangNet database. Ex. 14 at LVMPD 000393.

17 274. There is no set standard for LVMPD personnel to use in determining whether
18 removal is required. *See* Ex. 14.

19 275. There is also no indication what evidence a person would be required to provide to
20 have their information removed from the GangNet database. *See* Ex. 14.

21 276. Upon information and belief, any person registered in a database that identifies
22 “suspected members and affiliates” of criminal gangs the right to have their file deleted from the
23 database after five years after the date on which the person last had contact with local law
24 enforcement agency.
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1 277. LVMPD Policy 5/206.16 does not define what qualifies as a “contact with local law
2 enforcement agency.” Ex. 14.

3 278. Upon information and belief, individuals designated as “gang members” or “gang
4 affiliates” are frequently targeted for pretextual traffic stops by the LVMPD Gang Section and other
5 LVMPD officers as part of LVMPD proactive policing measures.

6 279. Each traffic stop, or other contact, where LVMPD officers document an individual
7 as a “gang member” or “gang affiliate” restarts five (5) years required for the individual’s file to be
8 removed from the database even if the contact had nothing to do with gang or even criminal activity.
9 Ex. 12, 147–149.

10 280. In theory, LVMPD Policy 5/206.16 requires LVMPD personnel “periodically to
11 remove and destroy any misleading, obsolete, or otherwise unreliable information in accordance
12 with 28 CFR part 23.” Ex. 14 at LVMPD 000394.

13 281. However, the policy does not define how often the sweeps must occur or what
14 standard or methods are used to determine whether information in the system is “misleading,
15 obsolete, or otherwise unreliable.” *See* Ex. 14.

16 282. Upon information and belief, while LVMPD manages the GangNet databases other
17 local, state, and federal agencies besides LVMPD may submit information to and access the
18 information in the database.

19 283. Upon information and belief, these agencies include but are not limited to the
20 Henderson Police Department, the North Las Vegas Police Department, the Nevada Department of
21 Corrections, the Nevada Department of Parole and Probation, Nevada State Highway Patrol, the
22 Nevada Department of Public Safety, the Federal Bureau of Investigation, and the United States
23 armed forces.

24 284. Designation as a “gang member”, “gang affiliate”, or “gang associate” is inherently
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1 stigmatizing as recognized by a person's right under Nevada law and LVMPD's own policy to
2 challenge such a designation. Ex. 14 at LVMPD 00393–00394; *see* Ex. 12, 146.

3 285. Designation as a “gang member” increases an individual's exposure to significant
4 legal consequences under Nevada law, including:

- 5 • Sentencing enhancements as defined under NRS 193.168;
- 6 • Notification of individual's alleged status as a “gang member” in any presentencing
7 investigation report provided to a Nevada state court judge prior to sentencing for
8 a felony offense pursuant to NRS 176.153;
- 9 • Restrictions on the right to associate with individuals who are on parole pursuant
10 to NRS 213.1263;
- 11 • Inability to purchase or otherwise receive a firearm as third parties are subject to
12 criminal liability to sell or transfer firearms to individuals designated as “gang
13 members” pursuant to NRS 202.362;
- 14 • Increased civil liability pursuant to NRS 244.35705;

15 286. Similar to a “gang member” designation, designation as a “gang affiliate” or “gang
16 associate” is also shared in all presentencing investigation reports created pursuant to NRS 176.153.

17 287. In addition to the explicit legal consequences, designation as a “gang member”,
18 “gang affiliate”, or “gang associate” has an impact on an individual's opportunities to serve in the
19 military and in some instances employment, as reflected in LVMPD's own Gang Database Removal
20 Request form.²⁹

21 288. Upon information and belief, individuals designated as a “gang member”, “gang
22 affiliate”, or “gang associate” are more likely to be targeted by LVMPD personnel during
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27 ²⁹ LVMPD Gang Removal Request Form at 2, available at [https://www.lvmpd.com/en-](https://www.lvmpd.com/en-us/Documents/Gang-Database-Removal-Request.pdf)
28 [us/Documents/Gang-Database-Removal-Request.pdf](https://www.lvmpd.com/en-us/Documents/Gang-Database-Removal-Request.pdf), on August 1, 2022.

1 investigations into alleged gang activity as well as “proactive policing” measures such as pretextual
2 traffic stops.

3 289. LVMPD provides a number of trainings instructing its personnel on how to
4 investigate gangs, gang members, and gang associates.

5 290. These trainings encourage LVMPD personnel to view suspected gang members as
6 inhuman and to engage in aggressive and frequently unconstitutional policing tactics during
7 investigations into suspected gang activity.

8 291. LVMPD gang-related trainings explicitly categorize gangs by race, designating
9 criminal gangs as “Black Gangs”, “Hispanic or Latino Gangs”, or “White Supremacy Groups”. The
10 trainings do not provide a basis for why the racial classification system is used. *See* Ex. 16, LVMPD
11 0002916 - 0002933.

12 292. LVMPD trainings classify organizations as “Black Gangs” that are not racial
13 supremacy or nationalist groups, do not define themselves by race, and have a multiethnic
14 membership. *See* Ex. 16, LVMPD 0002916 – 2933; *see* Ex. 12, 105–108.

15 293. LVMPD trainings fail to clarify that many, if not the majority, of street gangs are
16 multiethnic. *See e.g.* Ex. 16; *see* Ex. 12, 105–108.

17 294. An LVMPD training titled “Gang Enforcement and Gang Identification” advises
18 LVMPD officers on how to intimidate suspected gang members, stating “We intimidate not them”
19 and going so far as to labelling an entire slide in its presentation “Intimidation”. Ex. 18, LVMPD
20 001556-001558.

21 295. That training advises officer that observing a suspected gang member running away
22 from a police officer without further evidence of a crime is by itself sufficient for arresting that
23 person for the crime of “obstructing”, in violation of the Fourth Amendment. Ex. 18, , LVMPD
24 001551.

1 296. It depicts multiple photographs of alleged gang members smiling and pointing
2 firearms at other people, stating “What would [gang members] do to you if they can point a firearm
3 at their baby with no remorse?” Ex. 18, LVMPD 001554.

4 297. A LVMPD training titled “Gang Response Officer” ends with the advice to officers
5 that they “be polite, be professional, but have a plan to kill everybody [they] meet.” LVMPD
6 Training “Gang Response Officer” Power Point, attached as **EXHIBIT 19**, LVMPD 003637.

7 298. That same training dehumanizes suspected gang members, cracking jokes about
8 “gang members brain[s]” with a slide of Homer Simpson’s head alongside medical photographs
9 depicting through real medical x-rays presumably fatal gunshot wounds to the head and chest. Ex.
10 19, LVMPD 003629–003632.

11 299. A LVMPD training titled “Gang Trends” advises officers to “document all subjects”
12 during investigatory stops or any “gang related incident” including “gang parties”. Ex. 15, LVMPD
13 002899; *see* Ex. 16, LVMPD 0002933.

14 300. It also advises LVMPD officers to document and photograph suspected gang
15 members’ tattoos, recommending that officers ask individuals to remove their clothing to allow
16 officers to document the tattoos. Ex. 15, LVMPD 002817-002827.

17 301. The training does not discuss the Fourth Amendment limitations on these activities,
18 such as the requirement that stops be supported by reasonable suspicion, the scope of the search is
19 limited by the nature of the detention, and the duration of an investigatory or traffic stop is limited
20 by the purpose of the stop.

21 302. The training also advises officers to specifically target hotel parties and funerals of
22 suspected gang members for investigation. Ex. 15, LVMPD 002791–002800, 002838–002846.

23 303. The training recommends that officers contact the funeral director hosting the
24 funeral as well as the deceased’s immediate family in conducting their investigation. Ex. 15,
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1 LVMPD 002792.

2 304. Upon information and belief, it is common practice for LVMPD personnel share a
3 person's designation as a "gang member" or "gang affiliate" with third parties that are not law
4 enforcement officials.

5 305. BAUMAN, KRAVETZ, YOUNG, and/or KAUR engaged in this practice on August
6 19, 2018 when they disclosed COREY BASS's status as a designated "gang member" to Rio
7 employees.
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9 306. LVMPD personnel will also disclose an individual's status as a designated "gang
10 member" or "gang affiliate" to the media, as occurred here with Plaintiffs JOHNSON, PHILLIP
11 SEMPER, MEDLOCK, and GREEN.

12 307. Upon information and belief, LVMPD Gang Unit detectives will place notifications
13 in individual's entry in SCOPE, a database used by LVMPD patrol officers, requesting that officers
14 complete a field interview card and contact the Gang Unit detective whenever an officer comes into
15 contact with the individual for any reason, including traffic stops that are unrelated to any criminal
16 or gang-activity. Ex. 12, 51–53.
17

18 308. Upon information and belief, individuals who have such a notification in their file
19 are more likely to be subject to prolonged traffic stops as officers question them about unrelated
20 gang activity and seek a basis to search the individual's car.
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22 309. Plaintiff JOHNSON was designated as a "gang affiliate" by Defendant YOUNG on
23 August 19, 2018, based on the criteria set forth in LVMPD Policy 5/206.16. Ex. 17, 321.

24 310. Specifically, YOUNG determined that JOHNSON was an affiliate of COREY
25 BASS, who was documented in LVMPD's database as a "Hillside Gangster Crip", based upon
26 JOHNSON's presence at the party held at the Rio. Ex. 17, 321–323.

27 311. Plaintiff JOHNSON was unaware that COREY BASS was a designated "gang
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1 member” prior to being detained by LVMPD officers on August 19, 2018.

2 312. Based upon his designation as a “gang affiliate”, JOHNSON’s information was
3 entered into LVMPD’s GangNet database.

4 313. He did not receive notice of this designation.

5 314. Sometime after he was designated a “gang affiliate”, a LVMPD Gang Task Force
6 detective placed a “SCOPE notification” in JOHNSON’s file directing any officer that came into
7 contact with Plaintiff JOHNSON complete a field interview card and contact the LVMPD Gang
8 Unit.
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10 315. On August 8, 2019, JOHNSON was stopped from a routine traffic violation. Though
11 there was no evidence that JOHNSON was involved in gang activity or has committed more than a
12 traffic infraction, the officer conducting the stop followed the LVMPD Gang Unit’s instructions
13 and completed a field interview card alleging that the stop was related to “Gang Activity.”
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15 316. PHILLIP SEMPER was designated as a “gang affiliate” by Defendant YOUNG on
16 August 19, 2018, based on the criteria set forth in LVMPD Policy 5/206.16. Ex. 17 at 323.

17 317. Specifically YOUNG determined that PHILLIP SEMPER was an affiliate of
18 COREY BASS, who was documented in LVMPD’s database as a “Hillside Gangster Crip”, based
19 upon PHILLIP SEMPER’s presence at the party held at the Rio. Based upon designation as a “gang
20 affiliate”, PHILLIP SEMPER was entered into LVMPD’s GangNet database. Ex. 17, 323–325.
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22 318. Plaintiff BOWIE was designated as a “gang affiliate” by Defendant YOUNG on
23 August 19, 2018, based on the criteria set forth in LVMPD Policy 5/206.16. Ex. 17 at 318.

24 319. Specifically YOUNG determined that BOWIE was an affiliate of COREY BASS,
25 who was documented in LVMPD’s database as a “Hillside Gangster Crip”, based solely upon
26 BOWIE’s presence at the party held at the Rio. Ex. 17 at 318.

27 320. Plaintiff BOWIE was unaware that COREY BASS was a designated “gang member”
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1 prior to being detained by LVMPD officers on August 19, 2018.

2 321. Based upon her designation as a “gang affiliate”, BOWIE was entered into
3 LVMPD’s GangNet database.

4 322. She did not receive notice of this designation from LVMPD.

5 323. Sometime after she was designated a “gang affiliate”, a LVMPD Gang Task Force
6 detective placed a “SCOPE notification” in BOWIE’s file directing any officer that came into
7 contact with Plaintiff BOWIE complete a field interview card and contact the LVMPD Gang Unit.
8 Ex. 12 at 213.

9 324. On November 11, 2019, BOWIE was stopped by officers due to an expired
10 registration on her car. Though the traffic stop was unrelated to gang activity, BOWIE was
11 questioned about gang activity by police officers while detained, and officers searched her car. As
12 directed by LVMPD’s Gang Unit, officers completed a field interview card accusing BOWIE of
13 associating with a gang. BOWIE did not receive notice that she had been designated a “gang
14 associate” on November 11, 2019.

15 325. On March 6, 2020, BOWIE was against stopped by LVMPD officers for a traffic
16 violation unrelated to gang-activity. Against BOWIE was questioned during her detention about
17 alleged gang activity unrelated to the traffic stop. She was also questioned about the August 19,
18 2018, incident at the Rio.

19 326. Plaintiff MEDLOCK was designated as a “gang affiliate” by Defendant YOUNG on
20 August 19, 2018, based on the criteria set forth in LVMPD Policy 5/206.16. Ex. 17 at 311–312.

21 327. Specifically, YOUNG determined that MEDLOCK was an affiliate of COREY
22 BASS, who was documented in LVMPD’s database as a “Hillside Gangster Crip”, based solely
23 upon MEDLOCK’s presence at the party held at the Rio and MEDLOCK’s statement after she was
24 detained that she was COREY BASS’s sister. Ex. 17 at 312–314.

1 328. Plaintiff MEDLOCK was unaware that COREY BASS was a designated “gang
2 member” prior to being detained by LVMPD officers on August 19, 2018.

3 329. Based upon her designation as a “gang affiliate”, MEDLOCK was entered into
4 LVMPD’s GangNet database.

5 330. She did not receive notice of this designation from LVMPD.

6 331. Plaintiff GREEN was designated as a “gang member” by Defendant YOUNG on
7 August 19, 2018, based on the criteria set forth in LVMPD Policy 5/206.16. Ex. 17 at 286.

8 332. Specifically, YOUNG designated GREEN a “gang member” of the “Rolling 60’s
9 Crips” because (1) GREEN had a tattoo that YOUNG believed was typical of “Rolling 60’s Crip”
10 member, (2) YOUNG had an unidentified “reliable source” identify GREEN as a gang member,
11 (3) GREEN “affiliated” at with gang members due to his mere presence at the party at the Rio
12 though no one else present was designated as a member of the “Rolling 60’s Crips”, and (4) GREEN
13 was arrested for traffic warrants unrelated to gang activity while at the party. Ex. 17 at 333-337.

14 333. The information related to GREEN’s tattoos were collected after he was detained.

15 334. Though he did not use it as a basis to designate GREEN a “gang member”, YOUNG
16 also claimed that GREEN “self-admitted” to being a gang member, though YOUNG did not specify
17 what GREEN had said or done to “self-admit” nor state that he determined that admission to be
18 credible. Ex. 17 at 333-337.

19 335. Plaintiff GREEN was unaware that COREY BASS was a designated “gang
20 member” prior to being detained by LVMPD officers on August 19, 2018.

21 336. Based upon his designation as a “gang member”, GREEN was entered into
22 LVMPD’s GangNet database.

23 337. He did not receive notice of this designation from LVMPD.

24 338. Since this August 19, 2018, GREEN has been stopped for traffic violations
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1 unrelated to gang activity on three separate occasions.

2 339. Upon information and belief, during each of these encounters LVMPD officers
3 submitted field interview cards refreshing GREEN's designation as a "gang member" based solely
4 upon (1) GREEN's tattoos and (2) YOUNG's initial designation of GREEN as a gang member.

5 340. Since learning of his designation as a "gang member" and the consequences of that
6 designation, GREEN must now consider whether to come into contact with friends and family that
7 he otherwise would have spent time with out of concern that they would be designated "gang
8 members" or "gang affiliates" and entered into LVMPD's GangNet database.

9 341. GREEN denies being a member of the "Rolling 60's Crips" or any other criminal
10 gang.

11 342. Plaintiff REECE was designated as a "gang member" by Defendant YOUNG on
12 August 19, 2018, based on the criteria set forth in LVMPD Policy 5/206.16. Ex. 17 at 329.

13 343. Specifically, YOUNG designated REECE a "gang member" of the "Gerson Park
14 Kingsmen" because (1) YOUNG had an unidentified "reliable source" identify REECE as a gang
15 member, (2) REECE "affiliated" at with gang members due to his mere presence at the party at the
16 Rio, though no other individuals at the party were designated as "Gerson Park Kingsmen", (3)
17 REECE allegedly "admitted" to being a "Gerson Park Kingsmen" though YOUNG failed to specify
18 what REECE had said or had done to "admit" to being a "Gerson Park Kingsman". Ex. 17 at 329-
19 331.

20 344. Furthermore, any alleged admission collected from REECE would have been done
21 in violation of REECE's Fourth Amendment rights, and Plaintiff REECE was unaware that COREY
22 BASS was a designated "gang member" prior to being detained by LVMPD officers on August 19,
23 2018.

24 345. Based upon his designation as a "gang member", REECE was entered into
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1 LVMPD's GangNet database.

2 346. He did not receive notice of this designation from LVMPD.

3 347. Since this August 19, 2018, Plaintiff REECE has been stopped for traffic violations
4 at least twice by LVMPD officers where the officers completed field interview cards.

5 348. During these stops and every other traffic stop since August 19, 2018, REECE was
6 questioned about gang-activity unrelated to alleged basis for the stop.

7 349. Among these stops, REECE was subjected to a traffic stop by LVMPD officers
8 leaving the funeral of Demetrius Beard, an individual that was designated a "gang member" at the
9 Rio Hotel and Casino on the August 19, 2018.

10 350. Upon information and belief, REECE was stopped due to his presence at Mr. Beard's
11 funeral.

12 351. During that stop, the officers questioned REECE about gang activity unrelated to
13 the alleged traffic violation.

14 352. The driver of the car did not receive any traffic citation at the end of that stop.

15 353. Upon information and belief, REECE's significant other who was the driver and
16 present in the car with Mr. Reece during that traffic stops has been designated by LVMPD as "gang
17 affiliate" due her relationship with REECE and presence in the car during that stop.

18 354. Since learning of his designation as a "gang member" and the consequences of that
19 designation, REECE must now consider whether to come into contact with friends and family that
20 he otherwise would have spent time with out of concern that they would be designated "gang
21 members" or "gang affiliates" and entered into LVMPD's GangNet database.

22 355. REECE denies being a member of the "Gerson Park Kingsmen" or any other
23 criminal gang when YOUNG's designate a "gang member" on August 19, 2018.

24 356. Plaintiff RILEY was designated as a "gang member" by Defendant YOUNG on
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1 August 19, 2018, based on the criteria set forth in LVMPD Policy 5/206.16. Ex. 17 at 325.

2 357. Specifically, YOUNG designated RILEY a “gang member” of the criminal gang
3 “Squad Up” because (1) YOUNG had an unidentified “reliable source” identify RILEY as a gang
4 member, (2) RILEY “affiliated” with gang members due to his presence at the party at the Rio,
5 though no other individuals at the party were designated as “Squad Up” members, (3) RILEY
6 allegedly “admitted” to being a “Squad Up” though YOUNG failed to specify what RILEY had
7 said or had done to “admit” to being a “Squad Up” member. Ex. 17, 325-328.
8

9 358. Riley never admitted to being a member of “Squad Up” or any other criminal gang.³⁰

10 359. Furthermore, any alleged admission collected from RILEY would have been done
11 in violation of RILEY’s Fourth Amendment rights, and Plaintiff RILEY was unaware that COREY
12 BASS was a designated “gang member” prior to being detained by LVMPD officers on August 19,
13 2018.
14

15 360. Based upon his designation as a “gang member”, RILEY was entered into LVMPD’s
16 GangNet database.

17 361. He did not receive notice of this designation from LVMPD. Since this designation
18 on August 19, 2018, Plaintiff RILEY has been stopped for traffic violations by LVMPD officers
19 after attending the funeral of an individual that LVMPD had designated a member of the “Hillside
20 Gangster Crips”.
21

22 362. Despite being pulled over, Defendant RILEY did not receive any type of ticket for
23 a moving or non-moving violation.

24 363. During the traffic stop, RILEY was questioned about gang activity unrelated to the
25 traffic stop, and the officers specifically reference this suit during the questioning.
26

27
28 ³⁰ LVMPD BWC 000013 Denson, Aaron 0328, 05:51–09:20

1 364. Since learning of his designation as a “gang member” and the consequences of that
 2 designation, RILEY must now consider whether to come into contact with friends and family that
 3 he otherwise would have spent time with out of concern that they would be designated “gang
 4 members” or “gang affiliates” and entered into LVMPD’s GangNet database.

5 365. RILEY denies being a member of “Squad Up” or any other criminal gang.

6
 7 **V. CAUSES OF ACTION**

8 366. Represented Plaintiffs incorporate paragraphs 1–365 as though fully set forth
 9 herein.

10 **A. FIRST CAUSE OF ACTION – VIOLATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF**
1964, 28 C.F.R. §§ 42.101 ET SEQ. AND 42 U.S.C. § 1983.
(ALL REPRESENTED PLAINTIFFS AND ALL DEFENDANTS)

11 367. Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, provides: [n]o person
 12 in the United States shall, on the ground of race, color, or national origin, be excluded from
 13 participation in, be denied the benefits of, or be subjected discrimination under any program or
 14 activity receiving federal financial assistance.

15
 16 368. Federal regulations implementing Title VI of the Civil Rights Act of 1964 prohibit
 17 federally funded programs or activities from having a racially discriminatory impact or effect. The
 18 regulations provide that no program receiving financial assistance through the United States
 19 Department of Justice shall: utilize criteria or methods of administration which have the effect of
 20 subjecting individuals to discrimination because of their race, color, or national origin, or have the
 21 effect of defeating or substantially impairing accomplishment of the objectives of the program as
 22 respects individuals of a particular race, color, or national origin. 28 C.F.R. § 42.104(b)(2).

23
 24 369. Defendant LVMPD receives federal financial assistance from the United States
 25 Department of Justice and, thus, is bound to abide by the terms of Title VI and its implementing
 26 regulations, including 28 C.F.R. §§ 42.101 et seq.

27
 28 370. The surveillance methods employed by Defendant LVMPD’s Gang Crimes Section

1 have a discriminatory impact on people of color residing in Clark County, Nevada, including
2 Plaintiffs, as described herein, and thereby violate 28 C.F.R. §§ 42.101 et seq. and Title VI. This
3 violation is actionable under 42 U.S.C. § 1983.

4 371. This discriminatory impact is clear from LVMPD's own statistics. As of January of
5 2021, LVMPD had active designations for 11,628 individuals as “gang members” and 2,180 as
6 “gang affiliates”. 8,136 of those individuals were identified as “Black” by LVMPD, approximately
7 59% of the people designated as “gang members” or “gang affiliates”. By comparison, only 1,923
8 were identified as White, approximately 14% of the designees.

9 372. Despite notice of racial disparities in the GangNet database, Defendants’ policies
10 and practices concerning gang investigation, surveillance, enforcement, and the GangNet database
11 remain unchanged.

12 373. Through their acts and omissions as alleged in this Complaint, namely their
13 implementation of the “party crashers” protocol against a party attended by African Americans but
14 not against parties attended predominately by white individuals, Defendants LVMPD, BAUMAN,
15 KRAVETZ, KAUR, JEONG, YOUNG, DOE LVMPD GANG TASK FORCE OFFICERS 1-10,
16 DOE LVMPD OFFICERS 1-10, and DOE LVMPD SUPERVISORS 1-5 violated Plaintiffs’
17 rights secured by Title VI and its implementing regulations.

18 374. Defendant LVMPD intentionally discriminates by race in its gang-related
19 enforcement and investigation by explicitly categorizing all criminal gangs by race.

20 375. This categorization includes specifically labelling criminal gangs that are do not
21 restrict their membership by race as “Black Gangs”.

22 376. Defendant LVMPD exacerbates this discrimination by failing to identify that most
23 gangs labelled “Black Gangs” are in reality multi-ethnic.

24 377. Defendant LVMPD intentionally discriminates by race by explicitly excluding
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1 criminal organizations that are pre-dominantly White, including Outlaw Motorcycle Gangs and the
2 Russian Mafia, from the definition of “criminal gang” even though these organizations would
3 otherwise qualify as “criminal gangs” under LVMPD’s definition.

4 378. As a direct and proximate result of Defendants’ violations of Title VI and its
5 implementing regulations, Plaintiffs have suffered, are suffering, and will continue to suffer
6 damages in an amount subject to proof, and Plaintiffs are entitled to: injunctive and declaratory
7 relief against Defendants LVMPD as well as their employees and agents. In the absence of
8 judicial intervention, Plaintiffs will continue to be subjected to Defendants’ practice of race-based
9 discrimination.
10

11 **B. SECOND CAUSE OF ACTION – VIOLATION OF PROCEDURAL DUE PROCESS PURSUANT**
12 **TO THE FOURTEENTH AMENDMENT THROUGH 42 U.S.C. § 1983.**

13 **(ALL REPRESENTED PLAINTIFFS, SAVE SEMPER, AND ALL DEFENDANTS)**

14 379. The foregoing actions by Defendants violate 42 U.S.C. § 1983 and the Fourteenth
15 Amendment of the United States Constitution.

16 380. The Fourteenth Amendment of the United States Constitution guarantees that no
17 citizen will be deprived of life, liberty, or property without due process of law.

18 381. An individual has a liberty interest in avoiding designation as a “gang member” or
19 “gang affiliate” due to the stigma associated with such a designation coupled with the legal
20 consequences of such a designation.
21

22 382. These designations impact an individual’s rights pursuant to the First and Second
23 Amendments of the United States Constitution and Article 1, Section 11 of the Nevada Constitution.
24 These designations also have significant consequences under Nevada law.

25 383. GangNet and the Defendants’ policies and practices of (1) having an overbroad and
26 vague standard for when an individual will be designated a “gang member” or “gang affiliate”, (2)
27 providing officers with broad discretion with limited oversight to designate an individual a “gang
28

1 member” or “gang affiliate” (3) not providing a clear standard for when individuals will receive
2 notice when designated a “gang member” or “gang affiliate”, (4) not providing a standard for when
3 an individual’s petition to be removed from GangNet will be granted, (5) not providing a clear
4 process for individual to petition for removal from GangNet, and (6) renewing individuals as active
5 “gang members” or “gang associates” without notice or opportunity challenge violate the
6 Fourteenth Amendment.
7

8 384. Unilateral action by one LVMPD officer is sufficient for LVMPD to designate
9 Plaintiffs as “gang members” or “gang affiliates”.

10 385. Unilateral action by one LVMPD officer is sufficient to place Plaintiffs in GangNet.

11 386. Unilateral action by one LVMPD officer is sufficient to “renew” a Plaintiffs status
12 in GangNet, prolonging the amount of time Plaintiffs will remain in the database and designated as
13 a “gang member” or “gang affiliate”.
14

15 387. Defendant LVMPD does not publicize or otherwise notify the general public what
16 conduct will result in a designation as a “gang member” or “gang affiliate”.

17 388. Prior to this lawsuit, JOHNSON was unaware that he had been designated as a “gang
18 affiliate” in LVMPD’s GangNet.

19 389. He has never been informed of the basis for his designation as a “gang affiliate”, nor
20 has he been provided an opportunity to challenge his designation or petition for removal from
21 GangNet.
22

23 390. Likewise, he has never received notice or been provided the opportunity to challenge
24 subsequent renewals of his status as a “gang affiliate”.

25 391. Plaintiff MEDLOCK received no notice from LVMPD of her designation as a “gang
26 affiliate” by LVMPD officers or the submission of that designation into LVMPD’s GangNet
27 database.
28

1 392. Prior to this lawsuit, she was unaware that he had been designated as a “gang
2 affiliate” by LVMPD.

3 393. She has never been informed of the basis for her designation as a “gang affiliate”,
4 nor has she been provided an opportunity to challenge her designation or petition for removal from
5 GangNet.

6 394. Plaintiff BOWIE received no notice from LVMPD of her designation as a “gang
7 affiliate” by LVMPD officers or the submission of that designation into LVMPD’s GangNet
8 database.

9 395. Prior to this lawsuit, she was unaware that he had been designated as a “gang
10 affiliate” by LVMPD.

11 396. She has never been informed of the basis for her designation as a “gang affiliate”,
12 nor has she been provided an opportunity to challenge her designation or petition for removal from
13 GangNet.

14 397. Likewise, she has never received notice or been provided the opportunity to
15 challenge subsequent renewals of her status as a “gang affiliate”.

16 398. Plaintiff GREEN received no notice from LVMPD of his designation as a “gang
17 member” by LVMPD officers or the submission of that designation into LVMPD’s GangNet
18 database.

19 399. Prior to this lawsuit, he was unaware that he had been designated as a “gang
20 member” by LVMPD.

21 400. He has never been informed of the basis for his designation as a “gang member”,
22 nor has he been provided an opportunity to challenge her designation or petition for removal from
23 GangNet.

24 401. Plaintiff GREEN is not a member of a criminal street gang.
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1 402. Plaintiff REECE received no notice from LVMPD of his designation as a “gang
2 member” by LVMPD officers or the submission of that designation into LVMPD’s GangNet
3 database.

4 403. Prior to this lawsuit, he was unaware that he had been designated as a “gang
5 member” by LVMPD.

6 404. He has never been informed of the basis for his designation as a “gang member”,
7 nor has he been provided an opportunity to challenge her designation or petition for removal from
8 GangNet.
9

10 405. Plaintiff REECE is not a member of the “Gerson Park Kingsmen” or any other
11 criminal street gang and was not member of such organization on August 19, 2018.

12 406. Plaintiff RILEY received no notice from LVMPD of his designation as a “gang
13 member” by LVMPD officers or the submission of that designation into LVMPD’s GangNet
14 database.
15

16 407. Prior to this lawsuit, he was unaware that he had been designated as a “gang
17 member” by LVMPD.

18 408. He has never been informed of the basis for his designation as a “gang member”,
19 nor has he been provided an opportunity to challenge her designation or petition for removal from
20 GangNet.
21

22 409. Plaintiff RILEY is not a member of “Squad Up” or any other criminal street gang.

23 410. The criteria for gang membership set forth in LVMPD Policy 5/206.16 do not
24 reliably identify members of criminal street gangs or “gang affiliates” for formal designation and
25 inclusion in LVMPD’s GangNet.

26 411. Furthermore, the criteria are vague and overbroad, encouraging discriminatory and
27 inconsistent enforcement by officers.
28

1 412. As such, these criteria are arbitrary and capricious, and serve no legitimate
2 government interest.

3 413. Instead, the use of arbitrary criteria leading to consistently inaccurate gang
4 membership designations frustrates any conceivable legitimate government interest in combating
5 gang violence and crime generally.

6 414. Designation as a “gang member” or “gang affiliate” entails significant deprivations
7 of liberty and property consequences including increased criminal liability under Nevada law,
8 increased civil liability under Nevada law, restrictive probation and parole conditions, loss of
9 employment and social opportunities, and loss of free association with friends, family, and other
10 members of the community.

11 415. These deprivations significantly damage Plaintiffs and are effected without notice
12 or an opportunity to be heard in violation of the Fourteenth Amendment.
13

14
15 **C. THIRD CAUSE OF ACTION – VIOLATION OF RIGHT TO ASSOCIATION AND**
16 **EXPRESSION - DIRECT PROHIBITION - PURSUANT TO THE FIRST AMENDMENT**
17 **THROUGH 42 U.S.C. § 1983.**

18 **(ALL REPRESENTED PLAINTIFFS, SAVE SEMPER, AND ALL DEFENDANTS)**

19 416. LVMPD Policy 5.206/16 and Defendants’ gang-related policies and practices
20 unconstitutionally proscribe expressive and associative activity in violation of the First Amendment
21 of the United States Constitution.

22 417. LVMPD Policy 5.206/16 criteria for designation as a “gang member” or “gang
23 affiliate” and inclusion in the LVMPD GangNet database include expressive and associative
24 activities protected by the First Amendment.

25 418. Such activities include, but are not limited to: contact with family members, friends,
26 and others; residence in, or travel to, certain neighborhoods; participation in religious rites such as
27 funerals. Designation as a “gang member” or “gang affiliate” and inclusion in LVMPD’s GangNet
28

1 database leads to adverse consequences.

2 419. Such consequences for such designations include, but are not limited to: increased
3 criminal and civil liability, increased surveillance by LVMPD officers, repeat detainment,
4 prolonged detentions during traffic stops, repeated interrogations, the stigma of inclusion in the
5 gang database, and impact on employment opportunities.

6 420. Plaintiff JOHNSON was designated as a “gang affiliate”, placed under LVMPD
7 surveillance through the GangNet database based on his lawful presence at a party at the Rio Hotel
8 and Casino to wish CORY BASS a happy birthday.

9 421. Furthermore, LVMPD publicly and falsely announced that he was a “gang member”
10 based on his lawful presence at a party at the Rio Hotel and Casino to wish CORY BASS a happy
11 birthday.

12 422. Since his designation as a “gang affiliate”, JOHNSON has been subject surveillance
13 by LVMPD’s Gang Unit and “proactive policing” measures that included being investigated for
14 gang-activity during an unrelated traffic stop.

15 423. JOHNSON has been directly penalized for peaceful expressive and intimate
16 association, violating the First Amendment.

17 424. Plaintiff MEDLOCK was designated as a “gang affiliate”, placed under LVMPD
18 surveillance through the GangNet database, based on solely on her lawful presence at a party at the
19 Rio Hotel and Casino and her familial relationship to COREY BASS, who is her brother.

20 425. Defendant LVMPD publicly and falsely announced that she was a “gang member”
21 based on solely on her lawful presence at a party at the Rio Hotel and Casino and her familial
22 relationship to COREY BASS, who is her brother.

23 426. MEDLOCK has been directly penalized for peaceful expressive and intimate
24 associations, violating the First Amendment.

1 427. Plaintiff BOWIE was designated as a “gang affiliate”, placed under LVMPD
2 surveillance through the GangNet database based on solely on her lawful presence at a party at the
3 Rio Hotel and Casino to wish CORY BASS a happy birthday.

4 428. Since her designation as a “gang affiliate”, BOWIE has been subject surveillance by
5 LVMPD’s Gang Unit and “proactive policing” measures that included being investigated for gang-
6 activity at multiple unrelated traffic stop.
7

8 429. During these stops she was subjected to prolonged detentions where LVMPD
9 officers questioned her about gang activity unrelated to the stop and searched her car though no
10 evidence of a traffic violation would have been recovered from the vehicle due to her designation
11 as a “gang affiliate”.

12 430. BOWIE has been penalized for her peaceful expressive and intimate associations,
13 violating the First Amendment.
14

15 431. Plaintiff GREEN was designated as a “gang member” and placed under LVMPD
16 surveillance through the GangNet database based on his lawful presence at a party at the Rio Hotel
17 and Casino to wish CORY BASS a happy birthday.

18 432. Defendant LVMPD publicly and falsely announced that he was a “gang member”
19 based on his lawful presence at a party at the Rio Hotel and Casino to wish CORY BASS a happy
20 birthday.
21

22 433. Since his designation as a “gang member”, GREEN has been subject surveillance
23 by LVMPD’s “proactive policing” measures that included being investigated for gang-activity at
24 multiple unrelated traffic stop.

25 434. During these stops he was subjected to prolonged detentions where LVMPD officers
26 questioned her about gang activity unrelated to the stops.

27 435. GREEN has been penalized for his peaceful expressive and intimate associations,
28

1 violating the First Amendment.

2 436. Plaintiff REECE was designated as a “gang member” and placed under LVMPD
3 surveillance through the GangNet database based on his lawful presence at a party at the Rio Hotel
4 and Casino to wish CORY BASS a happy birthday.

5 437. Since his designation as a “gang member”, REECE has been subject surveillance by
6 LVMPD’s “proactive policing” measures that have included being investigated for gang-activity at
7 multiple unrelated traffic stop.

8 438. During these stops he was subjected to prolonged detentions where LVMPD officers
9 questioned him about gang activity unrelated to the alleged traffic violation.

10 439. At least one of these stops, REECE was stopped due to his presence at a funeral for
11 a deceased friend.

12 440. REECE has been penalized for peaceful expressive and intimate associations,
13 violating the First Amendment.

14 441. Plaintiff RILEY was designated as a “gang member” and placed under LVMPD
15 surveillance through the GangNet database based on his lawful presence at a party at the Rio Hotel
16 and Casino to wish CORY BASS a happy birthday.

17 442. Since his designation as a “gang member”, RILEY has been subject surveillance by
18 LVMPD’s “proactive policing” measures that have included being investigated for gang-activity at
19 least one unrelated traffic stop.

20 443. During this stop he was subjected to a prolonged detention where LVMPD officers
21 questioned him about gang activity unrelated to the stop.

22 444. Furthermore, he was stopped due to his presence at a funeral for a deceased friend.

23 445. RILEY has been penalized for peaceful expressive and intimate associations,
24 violating the First Amendment.

**D. FOURTH CAUSE OF ACTION – VIOLATION OF RIGHT TO ASSOCIATION AND
EXPRESSION – CHILLING EFFECT - PURSUANT TO THE FIRST AMENDMENT
THROUGH 42 U.S.C. § 1983.**

(ALL REPRESENTED PLAINTIFFS, SAVE SEMPER, AND ALL DEFENDANTS)

446. LVMPD Policy 5.206/16 and Defendants’ gang-related policies and practices unconstitutionally chill expressive and intimate associative activity among person within the jurisdiction in which Defendants employ GangNet in violation of the First Amendment of the United States Constitution.

447. LVMPD Policy 5.206/16 and Defendants’ gang-related policies and practices unconstitutionally chill intimate associations among private individuals including associations among family members and friends.

448. Plaintiffs avoid engaging in such activities as contact with family members, friends, and others; residence in, or travel to, certain neighborhoods; participation in political, religious, and other social groups; and the display of colors or symbols on one’s person or clothing in order to avoid being designated a “gang member” or “gang affiliate” in LVMPD’s GangNet.

449. LVMPD Policy 5.206/16 and Defendants’ gang-related policies and practices unconstitutionally chill expressive associations among members of non-gang social and political groups.

450. Any member of any group (including political parties, religious organizations, and civic and educational bodies) could be added to GangNet due to contacts with any individuals designated as a “gang member” by LVMPD, regardless whether that individual has in fact been connected to a gang or whether the member is aware of the individual’s status.

451. Designation as a “gang member” or “gang affiliate” and inclusion in LVMPD GangNet system causes reputational harm.

452. Designation as a “gang member” or “gang affiliate” and inclusion in LVMPD

1 GangNet system leads to increased, extended, and intensified interactions with law enforcement.
2 Designation as a “gang member” or “gang affiliate” leads to improper police stops, detentions,
3 interrogations, searches, surveillance, suspicion, and arrest.

4 453. Designation as a “gang member” or “gang affiliate” and inclusion in LVMPD
5 GangNet system leads financial harms including denial and loss of employment and military service
6 opportunities, stigmatization, exclusion from social groups, and harmed personal relationships.

7
8 454. As a result of LVMPD Policy 5.206/16 and Defendants’ gang-related policies and
9 practices, Plaintiff JOHNSON has been chilled and discouraged from constitutionally protected
10 expressive and associative behaviors.

11 455. JOHNSON has had anxiety that associating with certain family members and
12 intimate friends for peaceful purposes due to fear that such association might cause himself or others
13 to be arrested, included or renewed in LVMPD’s GangNet database, and subjected to continued or
14 increased police harassment or other criminal consequences. This has resulted in JOHNSON
15 spending less time with these family members and intimate friends including CORY BASS,
16 CARLOS BASS, ASHLEY MEDLOCK and the rest of the BASS family.

17
18 456. As a result of LVMPD Policy 5.206/16 and Defendants’ gang-related policies and
19 practices, Plaintiff MEDLOCK has been chilled and discouraged from constitutionally protected
20 expressive and associative behaviors.

21
22 457. MEDLOCK has had anxiety about associating with certain family members and
23 intimate friends for peaceful purposes due to fear that such association might cause herself or others
24 to be arrested, included or renewed in LVMPD’s GangNet database, and subjected to continued or
25 increased police harassment or other criminal consequences.

26 458. As a result of LVMPD Policy 5.206/16 and Defendants’ gang-related policies and
27 practices, Plaintiff BOWIE has been chilled and discouraged from constitutionally protected
28

1 expressive and associative behaviors.

2 459. BOWIE has refrained from associating with certain family members and intimate
3 friends for peaceful purposes due to fear that such association might cause herself or others to be
4 arrested, included or renewed in LVMPD's GangNet database, and subjected to continued or
5 increased police harassment or other criminal consequences.

6 460. As a result of LVMPD Policy 5.206/16 and Defendants' gang-related policies and
7 practices, Plaintiff GREEN has been chilled and discouraged from constitutionally protected
8 expressive and associative behaviors.

9 461. GREEN has refrained from associating with certain family members and intimate
10 friends for peaceful purposes due to fear that such association might cause himself or others to be
11 arrested, included or renewed in LVMPD's GangNet database, and subjected to continued or
12 increased police harassment or other criminal consequences.

13 462. This is of particular concern to GREEN as his designation as a "gang member"
14 makes any individual he associates with eligible for designation as a "gang affiliate" merely due to
15 the association or as a "gang member" if the individual satisfies any other criteria under LVMPD
16 Policy 5.206/16.

17 463. As a result of LVMPD Policy 5.206/16 and Defendants' gang-related policies and
18 practices, Plaintiff REECE has been chilled and discouraged from constitutionally protected
19 expressive and associative behaviors.

20 464. REECE has refrained from associating with certain family members and intimate
21 friends for peaceful purposes due to fear that such association might cause himself or others to be
22 arrested, included or renewed in LVMPD's GangNet database, and subjected to continued or
23 increased police harassment or other criminal consequences.

24 465. This is of particular concern to REECE as his designation as a "gang member"
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1 makes any individual he associates with eligible for designation as a “gang affiliate” merely due to
2 the association or as a “gang member” if the individual satisfies any other criteria under LVMPD
3 Policy 5.206/16.

4 466. As a result of LVMPD Policy 5.206/16 and Defendants’ gang-related policies and
5 practices, Plaintiff RILEY has been chilled and discouraged from constitutionally protected
6 expressive and associative behaviors.

7 467. RILEY has refrained from associating with certain family members and intimate
8 friends for peaceful purposes due to fear that such association might cause himself or others to be
9 arrested, included or renewed in LVMPD’s GangNet database, and subjected to continued or
10 increased police harassment or other criminal consequences.

11 468. This is of particular concern to RILEY as his designation as a “gang member” makes
12 any individual he associates with eligible for designation as a “gang affiliate” merely due to the
13 association or as a “gang member” if the individual satisfies any other criteria under LVMPD Policy
14 5.206/16.

15 **E. FIFTH CAUSE OF ACTION – UNREASONABLE SEARCH AND SEIZURE PURSUANT TO**
16 **THE FOURTH AND FOURTEENTH AMENDMENTS THROUGH 42 U.S.C. § 1983.**

17 **(ALL REPRESENTED PLAINTIFFS AND ALL DEFENDANTS, SAVE LVMPD)**

18 469. Defendants BAUMAN, KRAVETZ, KAUR, JEONG, YOUNG, DOE LVMPD
19 OFFICERS 1-10, and DOE LVMPD SUPERVISORS 1-5 acted under color of law and violated
20 Plaintiffs’ rights to be free from unreasonable searches and seizures as guaranteed by the Fourth
21 and Fourteenth Amendments of the U.S. Constitution.

22 470. Defendants had no legal basis for handcuffing, detaining, frisking, or patting down
23 each Plaintiff. There was no reasonable suspicion that any individual Plaintiff, let alone every
24 Plaintiff and guest in room 2037, had engaged in, was engaging in, or would imminently engage in
25 any criminal activity.

1 471. As a direct and proximate result of Defendants' violations of the Fourth
2 Amendment, Plaintiffs have suffered, are suffering, and will continue to suffer damages in an
3 amount subject to proof, and Plaintiffs are entitled to: injunctive and declaratory relief, as well as
4 their employees and agents; attorney's fees and costs from Defendants, and monetary,
5 compensatory, and punitive damages from Defendants.
6

7 **F. SIXTH CAUSE OF ACTION – UNREASONABLE SEARCH AND SEIZURE PURSUANT TO**
8 **THE FOURTH AND FOURTEENTH AMENDMENTS THROUGH 42 U.S.C. § 1983.**

9 **(ALL REPRESENTED PLAINTIFFS AND DEFENDANT LVMPD)**

10 472. Defendants BAUMAN, KRAVETZ, KAUR, JEONG, YOUNG, DOE LVMPD
11 OFFICERS 1-10, and DOE LVMPD SUPERVISORS 1-5 acted under color of law and violated
12 Plaintiffs' rights to be free from unreasonable searches and seizures as guaranteed by the Fourth
13 and Fourteenth Amendments of the U.S. Constitution.

14 473. Defendants had no legal basis for handcuffing, detaining, frisking, or patting down
15 each Plaintiff.

16 474. There was no reasonable suspicion that any individual Plaintiff, let alone every
17 Plaintiff and guest in Room 2037, had engaged in, was engaging in, or would imminently engage
18 in any criminal activity.

19 475. Defendants LVMPD are liable because at all relevant times they were responsible
20 for making and enforcing policies with respect to the Defendant officers' execution of frisks,
21 searches, and seizures and ensuring that such searches and seizures are conducted within the
22 parameters of the law, and Defendant LVMPD failed to do so.
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24 476. Specifically, Defendant LVMPD maintained a policy of responding to parties by
25 detaining every person on the premises regardless of the existence of individualized probable cause
26 or reasonable suspicion.
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28 477. Defendant LVMPD maintained a policy of responding to parties by searching every

1 person on the premises regardless of the existence of individualized probable cause or reasonable
2 suspicion.

3 478. Alternatively, where an official policy does not exist, Defendant LVMPD retains a
4 duty to prevent the adoption and prohibit the use of de facto policies and procedures or customs
5 when the policy, procedure, or custom in practice would or does amount to deliberate indifference
6 to the rights of persons with whom the police come into contact.

7 479. Defendant LVMPD has failed to make such corrections with regards to the “party
8 crashers” protocol and Defendant officers’ execution of frisks, searches, and seizures and
9 Defendant LVMPD's failure resulted in the violation of Plaintiff’s constitutional rights.

10 480. Defendant LVMPD has failed to maintain a procedure or policy on how its
11 personnel must handle requests for assistance from casino and hotel security, specifically requests
12 that involve detaining and searching individuals on hotel property.

13 481. As a direct and proximate result of Defendants’ violations of the Fourth
14 Amendment, Plaintiffs have suffered, are suffering, and will continue to suffer damages in an
15 amount subject to proof, and Plaintiffs are entitled to: injunctive and declaratory relief, as well as
16 their employees and agents; attorney’s fees and costs from Defendants, and monetary,
17 compensatory, and punitive damages from Defendants.

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20 **G. SEVENTH CAUSE OF ACTION – UNLAWFUL DETENTION PURSUANT TO THE FOURTH**
21 **AND FOURTEENTH AMENDMENTS THROUGH 42 U.S.C. § 1983.**

22 **(ALL REPRESENTED PLAINTIFFS AND ALL DEFENDANTS, SAVE LVMPD)**

23 482. Defendants BAUMAN, KRAVETZ, KAUR, JEONG, YOUNG, DOE LVMPD
24 OFFICERS 1-10, and DOE LVMPD SUPERVISORS 1-5 acted under color of law and violated
25 Plaintiffs’ rights to be free from unlawful detention as guaranteed by the Fourth and Fourteenth
26 Amendments of the U.S. Constitution. Defendant officers seized and subsequently detained
27 Plaintiffs for several hours.
28

1 483. Defendants' actions in detaining Plaintiffs were unreasonable and violated their
2 rights to be free from unlawful detention as guaranteed by the Fourth and Fourteenth Amendments
3 of the U.S. Constitution.

4 484. As a direct and proximate result of Defendants' violations of the Fourth
5 Amendment, Plaintiffs have suffered, are suffering, and will continue to suffer damages in an
6 amount subject to proof, and Plaintiffs are entitled to: injunctive and declaratory relief, as well as
7 their employees and agents; attorney's fees and costs from Defendants, and monetary,
8 compensatory, and punitive damages from Defendants.

10 **H. EIGHTH CAUSE OF ACTION – UNLAWFUL DETENTION PURSUANT TO THE FOURTH
11 AND FOURTEENTH AMENDMENTS THROUGH 42 U.S.C. § 1983.**

12 **(ALL REPRESENTED PLAINTIFFS AND DEFENDANT LVMPD)**

13 485. Defendants LOMBARDO, BAUMAN, KRAVETZ, KAUR, JEONG, YOUNG,
14 DOE LVMPD OFFICERS 1-10, and DOE LVMPD SUPERVISORS 1-5 acted under color of
15 law and violated Plaintiffs' rights to be free from unlawful detention as guaranteed by the Fourth
16 and Fourteenth Amendments of the U.S. Constitution. Defendant officers seized and subsequently
17 detained Plaintiffs for several hours.

18 486. Defendants' actions in detaining Plaintiffs were unreasonable and violated their
19 rights to be free from unlawful detention as guaranteed by the Fourth and Fourteenth Amendments
20 of the U.S. Constitution.

21 487. Defendant LVMPD is liable because at all relevant times they were responsible for
22 making and enforcing policies with respect to the Defendant officers' execution of detention and
23 ensuring that such detention is conducted within the parameters of the law, Defendant LVMPD
24 failed to do so.

25 488. Specifically, Defendant LVMPD maintained a policy of responding to parties by
26 detaining every person on the premises regardless of the existence of individualized probable cause
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1 or reasonable suspicion.

2 489. Furthermore, Defendant LVMPD maintained a policy of continuing to detain
3 persons attending such parties until LVMPD personnel completed running records check on the
4 individual regardless whether individualized probable cause or reasonable suspicion existed to
5 continue detaining the individual.

6 490. Furthermore, Defendant LVMPD trained its officers to unconstitutionally prolong
7 investigatory stops by investigating and collecting information from individuals related to gang
8 investigations but unrelated to the legal basis for the stop.

9 491. Alternatively, where an official policy does not exist, Defendant LVMPD retains a
10 duty to prevent the adoption and prohibit the use of de facto policies and procedures or customs
11 when the policy, procedure, or custom in practice would or does amount to deliberate indifference
12 to the rights of persons with whom the police come into contact.

13 492. Defendants LVMPD has failed to make such corrections with regards to the “party
14 crashers” protocol and Defendant officers’ execution of detentions and LVMPD failures resulted
15 in the violation of Plaintiff’s constitutional rights.

16 493. Defendant LVMPD has also failed to make necessary corrections to its gang-related
17 trainings that currently encourage its officers to unconstitutionally prolong investigatory stops by
18 investigating and collecting information from individuals related to gang investigations unrelated
19 to the legal basis for the stop.

20 494. As a direct and proximate result of Defendants’ violations of the Fourth
21 Amendment, Plaintiffs have suffered, are suffering, and will continue to suffer damages in an
22 amount subject to proof, and Plaintiffs are entitled to: injunctive and declaratory relief against
23 Defendant LVMPD, as well as its employees and agents; attorney’s fees and costs from
24 Defendants, and monetary, compensatory, and punitive damages from Defendants.
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I. NINTH CAUSE OF ACTION – CIVIL CONSPIRACY TO VIOLATE PLAINTIFFS’ CIVIL RIGHTS UNDER 42 U.S.C. § 1983 – UNLAWFUL ARREST AND UNREASONABLE SEARCH AND SEIZURE.

(ALL REPRESENTED PLAINTIFFS AND ALL DEFENDANTS)

495. Defendants acted under color of law, and Defendants engaged in a civil conspiracy to violate Plaintiffs’ civil rights to be free from unlawful arrest and unreasonable search and seizure as guaranteed by the Fourth and Fourteenth Amendments of the U.S. Constitution.

496. Defendants LVMPD, BAUMAN, KRAVETZ, KAUR, JEONG, YOUNG, DOE LVMPD OFFICERS 1-10, and DOE LVMPD SUPERVISORS 1-5, Carlisle combined, conspired, confederated, and agreed together and with each other to knowingly and willfully engage in the acts described hereto to cause harm to Plaintiffs.

497. Defendants BAUMAN, KRAVETZ, KAUR, JEONG, YOUNG, DOE LVMPD OFFICERS 1-10, and DOE LVMPD SUPERVISORS 1-5 worked in concert to unlawfully detain, handcuff, search, and arrest Plaintiffs. Upon information and belief, these Defendants created a system by which multiple officers aided in each step of the process of removing a Plaintiff from room 2037, handcuffing him/her, searching his/her person, and forcing him/her to remain seated on the floor of the Rio hallway for hours.

498. Defendant LVMPD is liable because they have instituted and/or maintained policies, practices, or customs that permit the unlawful search and seizure of hotel guests, including those at the Rio, and that require or permit their officers to respond in same.

499. Furthermore, Defendant LVMPD at all relevant times was responsible for making and enforcing policies with respect to the Defendant officers’ execution of frisks, searches, and seizures and ensuring that such searches and seizures are conducted within the parameters of the law.

500. As a direct and proximate result of Defendants’ civil conspiracy to violate

1 Plaintiffs' civil rights, Plaintiffs have suffered, are suffering, and will continue to suffer damages
 2 in an amount subject to proof, and Plaintiffs are entitled to: injunctive and declaratory relief
 3 against Defendant LVMPD as well as their employees and agents; attorney's fees and costs from
 4 Defendants, and monetary, compensatory, and punitive damages from Defendant.

5 **J. TENTH CAUSE OF ACTION – CIVIL CONSPIRACY TO VIOLATE PLAINTIFFS' CIVIL**
 6 **RIGHTS UNDER 42 U.S.C. § 1983 – EQUAL PROTECTION.**

7 **(ALL REPRESENTED PLAINTIFFS AND ALL DEFENDANTS)**

8 501. Defendants LVMPD, BAUMAN, KRAVETZ, KAUR, JEONG, YOUNG, DOE
 9 LVMPD OFFICERS 1-10, and DOE LVMPD SUPERVISORS 1-5, acted under color of law
 10 and combined, conspired, confederated, and agreed together and with each other to knowingly and
 11 willfully deprive Plaintiffs' of equal protection under the law.

12 502. Defendants engaged in intentional race discrimination when they asserted, without
 13 evidence, that a party attended exclusively by African Americans was a "gang party" and agreed
 14 together to evict, handcuff, search, and run a warrants check on every guest, including Plaintiffs,
 15 despite having no evidence of a threat of ongoing or imminent criminal activity.

16 503. Defendants' actions were motivated by invidiously discriminatory animus and
 17 denied Plaintiffs of their right to equal protection of the laws, as well as their rights to be free from
 18 unlawful detention and unreasonable search and seizure.

19 504. As a direct and proximate result of Defendants' civil conspiracy to violate
 20 Plaintiffs' civil rights, Plaintiffs have suffered, are suffering, and will continue to suffer damages
 21 in an amount subject to proof, and Plaintiffs are entitled to: injunctive and declaratory relief
 22 against Defendant LVMPD as well as their employees and agents; attorney's fees and costs from
 23 Defendant, and monetary, compensatory, and punitive damages from Defendant.

24 **VI. PRAYER FOR RELIEF**

25 WHEREFORE Plaintiffs seek judgment as follows:
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- 1 a. As to Plaintiff Johnson, actual damages in the amount of \$2,300.
- 2 b. As to all Plaintiffs, general and punitive damages to be determined at the time of trial;
- 3 c. As to all Defendants, a declaration that the act of indiscriminately detaining,
4 handcuffing, searching, and arresting Plaintiffs without probable cause or reasonable
5 suspicion violated Plaintiffs' rights to be free from unreasonable searches and seizures
6 and from unlawful detentions as guaranteed by the Fourth and Fourteenth Amendments
7 of the U.S. Constitution;
- 8 d. As to Defendant LVMPD, a permanent injunction ordering Defendants to destroy all
9 evidence seized from Represented Plaintiffs in violation of the Fourth Amendment,
10 including but not limited to any evidence stored in:
11
 - 12 i. LVMPD's GangNet database and any other database in LVMPD's control;
 - 13 ii. Field Interview Cards still in Defendant LVMPD's possession; and
 - 14 iii. Any database where DNA information is stored;
- 15 e. A permanent injunction (a) prohibiting all Defendants from engaging in unlawful
16 searches and seizures based on race or ethnicity; and (b) ordering Defendants LVMPD
17 to establish effective preventative mechanisms to ensure that discriminatory searches
18 and seizures do not continue in the future, including, but not limited to the following:
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 - 20 i. To establish a procedure to enable each person involved in a search and seizure
21 the right to file a grievance to contest illegal acts and acts motivated by bias;
 - 22 ii. To establish clear and consistent discipline in the event a grievance is sustained;
 - 23 iii. To appoint an independent auditor who will review the records of officers
24 quarterly to determine that there is compliance with these reforms;
 - 25 iv. To establish an early warning system which will collect information such as
26 citizen complaints against an officer and other information regarding misconduct
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- 1 and will alert the officer's supervisor when a set number of incidents are
- 2 recorded;
- 3 v. To establish a mechanism for internal discipline of officers who are found to
- 4 have engaged in racial profiling and pretextual stops and questioning; and
- 5 vi. To require that all officers participate in regular and recurring training to assure
- 6 that the officers do not act due to bias based on race or ethnicity
- 7
- 8 f. A declaration that Defendant LVMPD's policy regarding breaking up parties, known as
- 9 the "party crashers" protocol, in which LVMPD officers indiscriminately detain,
- 10 handcuff, search, and arrest individuals without probable cause or reasonable suspicion
- 11 is unlawful;
- 12 g. A permanent injunction prohibiting Defendant LVMPD from utilizing the "party
- 13 crashers" protocol;
- 14
- 15 h. A declaration that Defendant LVMPD's Policy 5.206/16, and the practices and conduct
- 16 of Defendants in relation to gang surveillance, enforcement, and investigation as
- 17 described in this Complaint violates the rights of Plaintiffs;
- 18 i. A permanent injunction (1) preventing Defendants from maintaining GangNet,
- 19 implementing GangNet, or adding any individuals to GangNet in the future and (2)
- 20 removing from GangNet all individuals currently or in the past designated as "gang
- 21 members" or "gang associates";
- 22 j. A permanent injunction preventing Defendants from using race-based classifications in
- 23 its gang enforcement, investigation, and surveillance practices, policies, and trainings;
- 24 k. An award of attorney's fees and costs pursuant to 42 U.S.C. § 1988(b); and
- 25 l. Any further relief that this Court deems appropriate.

26 **VII. DEMAND FOR JURY TRIAL**

27 Plaintiffs hereby demand a jury trial on all causes of action.

1
2 RESPECTFULLY SUBMITTED this 1st day of September 2022.

3 **AMERICAN CIVIL LIBERTIES**
4 **UNION OF NEVADA**

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