

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

Letricia Spann and Fleen Myles, Jr.,)
 individually and as Co-Independent)
 Administrators of the Estate of Fleen)
 Myles, III)
)
 Plaintiffs,)
)
 v.)
)
 The City of Shreveport, Louisiana, and)
 Maverick Caldwell, II, in his individual)
 capacity,)
)
 Defendants)
)
 _____)

Case No.

COMPLAINT
(Jury Trial Demanded)

Plaintiffs, Letricia Spann and Fleen Myles, Jr., individually and as Co-Independent Administrators of the Estate of Fleen Myles, III, by and through their undersigned counsel of record, bring this civil rights action pursuant to 42 U.S.C. § 1983 against the City of Shreveport, Louisiana and Maverick Caldwell in his individual capacity, for the death of Fleen Myles, III on November 5, 2023.

PARTIES

1. Plaintiff Letricia Spann and Plaintiff Fleen Myles, Jr. (“Plaintiffs”) are the duly appointed Co-Independent Administrators of the Estate of Fleen Myles, III. Plaintiffs were appointed Co-Independent Administrators of Fleen Myles, III’s estate by order of the First Judicial District Court, dated October 30, 2024, Docket Number 653606-B.

2. At all times relative to this Complaint, decedent Fleen Myles, III (“Decedent Myles,” “Mr. Myles”), aged 33 years old, was a citizen and resident of Shreveport, Louisiana.

3. At all times relevant to this Complaint, Defendant City of Shreveport, Louisiana (hereinafter “Defendant Shreveport”) has been a governmental entity established under the laws and constitution of the State of Louisiana, transacting and conducting business in Louisiana, and with a principal place of business in Shreveport, Louisiana. At all times relevant to this Complaint, the Shreveport Police Department (hereinafter “SPD”) was a subdivision of Defendant Shreveport, and all officers with the Shreveport Police Department were servants, agents, and/or employees of Defendant Shreveport.

4. Upon information and belief, Defendant Maverick Caldwell, II (hereinafter “Defendant Caldwell”) is a citizen of Louisiana and resides in Shreveport, Louisiana, and was employed as a police officer with the Shreveport Police Department and was acting under color of state law at all times relevant to this Complaint. He is being sued in his individual capacity.

JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction over the federal claims against Defendants pursuant to 18 U.S.C. § 1331 because those claims arise under federal law, 42 U.S.C. § 1983.

6. This Court further has personal jurisdiction over all Defendants as they reside in this District and their acts and/or omissions complained of occurred within this District.

7. Venue is proper in the Western District of Louisiana, Shreveport Division, pursuant to 28 U.S.C. § 1391(b)(1) & (2), as most of the Defendants reside in this District and the acts or omissions complained of occurred within this District.

FACTUAL ALLEGATIONS

The Shooting of Fleen Myles, III

8. Shreveport is a city in Louisiana with a majority African-American population.¹

9. Shreveport has an above-average police presence, with 2.93 police officers per 1,000 residents, compared to the national average of 2.3 officers per 1,000 residents.²

10. Notably, from 2013-2021, an African-American citizen of Shreveport was 6.2 times as likely as a white citizen to be killed by police.³

11. As a result of this and other factors, including numerous incidents detailed further *infra*, there is considerable tension and mistrust between the African American community in Shreveport and the SPD.

12. Amidst this backdrop, Mr. Myles was the subject of harassment by SPD officers in the months prior to his death.

13. In an email sent to Detective Clifford Worthington with the Louisiana State Police, a tipster reported that that Mr. Myles was the subject of SPD harassment due to his failure to act as a confidential informant against his nephew.

14. The tipster explained that Mr. Myles lived in the same house as his nephew, and that his nephew was accused of shooting someone a few months prior to November, 5, 2023.

15. The tipster further explained that the SPD was unable to find Mr. Myles's nephew, so they sought to have Mr. Myles act as an informant against him, but Mr. Myles refused.

¹ <https://datausa.io/profile/geo/shreveport-la/>.

² [https://policescorecard.org/la/police-department/shreveport#scorecard-at-a-glance](https://policescorecard.org/la/police-department/shreveport#scorecard-at-a-glance;); <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/tables/table-71#:~:text=Full%2Dtime%20Law%20Enforcement%20Officers%2C%20by%20Region%20and%20Geographic%20Division,was%202.3%20per%201%2C000%20residents.>

³ <https://policescorecard.org/la/police-department/shreveport#scorecard-at-a-glance.>

16. The tipster indicated that, after Mr. Myles refused to act as an informant, SPD began watching him and harassing him for months.

17. Around 8:00 a.m. on the morning of November 5, 2023, Mr. Myles stopped by the house on 2725 Rosemont Street to inform the owner (“Homeowner”) that he was planning to bring her some money for her son.

18. After speaking with Homeowner, Mr. Myles left the residence and began walking to go retrieve the money.

19. In a recorded statement, Homeowner reported that SPD had been harassing everyone on the block, including Mr. Myles, and that on the morning of November, 5, 2023, SPD officers were stalking individuals up and down the block.

20. As a result of such conduct, a man named Jacobi Brown offered Mr. Myles a ride in his white Chevrolet Impala.

21. Thereafter, around 8:45 a.m., Corporal Sammi Reich of the SPD pulled Jacobi Brown over for a window tint violation, and the traffic stop occurred at 2725 Marquette Avenue. Mr. Myles was the lone passenger in the vehicle.

22. At approximately 8:46 a.m., Officer Tia Stephens and Defendant Caldwell arrived at the scene to assist with the traffic stop.

23. Officer Stephens and Defendant Caldwell approached the passenger side of the car and opened the door, ordering Mr. Myles to extinguish the cigarette that he was smoking.

24. At this point, there is nothing to indicate that Mr. Myles presented a danger to any of the officers nor was there any reason to believe that he was involved in criminal activity.

25. After opening the passenger door, the officers asked Mr. Myles for his driver’s license.

26. Mr. Myles explained that he did not have a driver's license, but he offered to show the officers an insurance card on his phone which bore his name.

27. Defendant Caldwell told Mr. Myles that his insurance card would not suffice and asked if he had an ID, but Mr. Myles indicated that he did not have an ID on his person.

28. Defendant Caldwell then ordered Mr. Myles out of the vehicle.

29. Mr. Myles exited the vehicle and then began walking around the open passenger door.

30. Defendant Caldwell began asking Mr. Myles where he was going and told him to stand "over there," gesturing toward the rear of the car.

31. However, Mr. Myles continued to walk around the open passenger door before running away from the officers down Marquette Avenue.

32. Defendant Caldwell immediately began pursuing Mr. Myles.

33. Roughly ten (10) seconds after Defendant Caldwell began chasing Mr. Myles, he pulled out his Taser and attempted to deploy it against Mr. Myles, but the Taser did not make contact and the chase continued.

34. As Mr. Myles reached the end of Marquette Street, he turned right and began running through the back parking lot or alley of a large building.

35. Body camera footage reveals that as Defendant Caldwell chased Mr. Myles through the parking lot or alley, he yelled, "I'll shoot you" at Mr. Myles.

36. However, at that point, there is no indication that Mr. Myles posed a threat to Defendant Caldwell or anyone else, nor is there any indication that he had committed a crime.

37. After running through the back parking lot or alley, Mr. Myles turned right and began running down Rosemont Street.

38. Mr. Myles then ran into the carport of the home located at 2725 Rosemont Street.

39. As Defendant Caldwell pursued Mr. Myles, but before he entered the carport, a loud bang could be heard coming from the carport.

40. Notably, at the time this bang was heard, Defendant Caldwell and Mr. Myles were not in each other's line of sight, and there were no indications that the noise was the product of a gunshot.

41. To the contrary, Defendant Caldwell's body-worn camera reveals that Mr. Myles had stumbled and fallen to his hands and knees while in arms reach of the carport's screen door.

42. When Defendant Caldwell entered the carport, he again stated "I'll shoot you."

43. As Defendant Caldwell pursued Mr. Myles, Mr. Myles attempted to stand up, but tripped over a lawnmower and metal folding chair.

44. When Defendant Caldwell reached the front of an SUV parked in the carport, he drew his Taser.

45. Mr. Myles then stumbled on his hands and knees towards a chain-link fence in the property's side yard.

46. Mr. Myles stumbled head-first into the chain link fence and placed both of his hands against it in an attempt to brace himself.

47. When Mr. Myles extended his hands to brace himself against the fence, Defendant Caldwell observed that Mr. Myles had a firearm in his right hand.

48. Defendant Caldwell then dropped his Taser and drew his firearm.

49. Mr. Myles then pushed his upper body away from the chain link fence and attempted to stand up.

50. As Mr. Myles attempted to stand, he looked to his right at Defendant Caldwell before turning left to continue running.

51. Throughout Mr. Myles's attempt to stand and continue running, he held the weapon such that it was pointed at the ground the entire time, and he never pointed the weapon at Defendant Caldwell.

52. When Mr. Myles looked over toward Defendant Caldwell with his body still facing toward the fence, Defendant Caldwell began firing at him.

53. As Mr. Myles turned to continue fleeing with his back towards Defendant Caldwell, Defendant Caldwell continued to fire at him.

54. In total, Defendant Caldwell fired four shots at Mr. Myles. One shot entered Mr. Myles's right bicep from the side, exiting near his armpit and reentering his chest. Another shot hit Mr. Myles in the lower back, and a third shot hit him in his left buttock area.

55. Defendant Caldwell offered no warning to Mr. Myles before firing upon him.

56. After being shot, Mr. Myles immediately fell face first to the ground.

57. At this point, Defendant Caldwell began yelling for Mr. Myles to drop his firearm.

58. Defendant Caldwell then approached Mr. Myles's limp body and handcuffed his hands behind his back.

59. Defendant Caldwell then left Mr. Myles and returned to the position from which he shot Mr. Myles.

60. According to multiple witnesses, Defendant Caldwell did not attempt CPR or begin any other life-saving measures until additional SPD officers arrived on scene.

61. Following an autopsy, Mr. Myles's cause of death was determined to be three penetrating gunshots, one traveling through his upper lateral right arm out his medial right arm

and reentering in his anterolateral chest, one entering his lower lateral right back, and one entering at his inferomedial left buttock.

62. Following the shooting of Mr. Myles, the SPD resisted calls to release Defendant Caldwell's body-worn-camera footage, and further refused to provide any information to Mr. Myles's family, who had numerous concerns about his death.

SPD's Patterns and Practices

63. The incident involving Mr. Myles is a result of SPD's patterns and practices of harassing citizens of Shreveport, seizing individuals without probable cause, escalating minor offenses or non-offenses into situations involving the use of force, and engaging in excessive force against members of the Shreveport community.

Two Incidents against Alonzo Bagley⁴

64. In January 2018, an officer with the SPD responded to a domestic dispute between Bagley and his wife.

65. The officer placed Bagley in handcuffs that were fastened to tightly and placed him in his SPD patrol car.

66. Due to the pain of being handcuffed behind his back in the back passenger seat of an SPD patrol car, Bagley maneuvered his hands to the front of his body, but did not attempt to flee or escape.

67. Upon noticing Bagley rearranging himself, the officer opened the squad car door and delivered several forceful, close-fisted strikes to Bagley's head and face.

⁴ <https://www.cnn.com/2023/02/16/us/shreveport-louisiana-police-shooting-alonzo-bagley-lawsuit>; <https://www.revolt.tv/article/2023-02-16/273712/black-man-attacked-by-shreveport-police-sued-the-department-five-years-prior>; <https://www.laclu.org/en/press-releases/aclu-louisiana-statement-shreveport-police-killing-alonzo-bagley>.

68. Notably, a second officer on scene did not intervene to stop the assault, despite the fact that Bagley was handcuffed throughout the incident and offered no resistance.

69. Bagley ultimately required treatment for a broken occipital orbital eye-socket, contusions to the head and face, and multiple front, upper teeth which were knocked out.

70. Bagley's suffering at the hands of the SPD did not end with this incident.

71. On February 3, 2023, officers were called to Bagley's apartment following a noise complaint.

72. When officers arrived, Bagley opened the door but refused to step outside when officers asked him to.

73. Officers followed Bagley into his apartment while Bagley indicated that he was going to put his dogs away.

74. The officers told him to let someone else in the home do it and continued to follow him deeper into the apartment.

75. Bagley then stepped onto the apartment balcony, jumped to the ground below, and fled.

76. One of the officers, Alexander Tyler, immediately gave chase and chased Bagley for about a minute with his firearm drawn.

77. When Officer Tyler caught up to Bagley, who was unarmed, he fatally shot him in the chest.

78. Officer Tyler was thereafter charged with negligent homicide and faces a federal civil rights lawsuit.

Anthony Childs⁵

79. On February 5, 2019, Anthony Childs was walking along the sidewalk in Shreveport when he was spotted by Officer Traveion Brooks.

80. Officer Brooks determined Childs to be in violation of the city's "saggy pants" ordinance, which prohibited wearing pants below the waist in public, an offense punishable by a fine of up to \$100 and eight (8) hours community service.

81. Childs fled as Officer Brooks approached him in his squad car, eventually leaving the sidewalk and running through a vacant field.

82. Officer Brooks then hopped the curb in his squad car and gunned it through the grass until he caught up with Childs.

83. When Officer Brooks made contact with Childs, he began yelling for Childs to "Put the gun down," before several rounds of shots ensued.

84. The Caddo Parish Coroner determined that, in the first round of shots, Officer Brooks fired once on Childs and Childs turned his firearm against himself, shooting himself once in the chest. However, the coroner was unable to determine who shot first.

85. After the first round of shots, Childs, fell to the ground, allegedly holding onto his firearm.

86. Officer Brooks then fired a second round of three shots at Childs while he was on the ground.

⁵ <https://www.washingtonpost.com/nation/2019/05/30/saggy-pants-violation-led-fatal-police-chase-louisiana-lawmaker-wants-repeal-law/>;
<https://www.shreveporttimes.com/story/news/2019/05/22/questions-remain-officer-involved-shooting-law-maker-takes-action/3771315002/>.

87. Officer Brooks then fired a third round of four shots at Childs while he was still on the ground.

88. The Caddo Parish Coroner ruled that Childs died as a result of the self-inflicted gunshot wound, but noted that Officer Brooks fired seven (7) shots at Childs after he was on the ground, striking him three times.

Markeil Tyson⁶

89. On August 5, 2019, Officer Dylan Hudson responded to a trespassing/loitering call at a Shreveport liquor store.

90. As a result of the call, Officer Hudson ultimately arrested Markeil Tyson.

91. During the arrest, Officer Hudson punched Tyson in the head and face, kned him in the stomach, tased him in the neck and head, pistol-whipped him in the head, slammed his head into the ground, and kicked him in the face.

92. Officer Hudson engaged in such conduct against Tyson despite the fact that Tyson was not considered armed or dangerous.

93. Officer Hudson was ultimately indicted and convicted for depriving Mr. Tyson of his rights by force during an arrest.

Tamara Mims⁷

94. On January 16, 2020, Tamara Mims was driving in Shreveport.

95. Officer Chris McConnell initiated a traffic stop of Mims for a non-moving, equipment violation because her rear license plate was not properly illuminated.

⁶ <https://www.justice.gov/usao-wdla/pr/former-shreveport-police-department-officer-indicted-assaulting-arrestee>; https://www.ktbs.com/news/former-spd-officer-convicted-in-excessive-force-retrial/article_67436088-1512-11ee-9746-4f4470b5915c.html.

⁷ <https://www.shreveporttimes.com/story/news/crime/2021/01/29/black-woman-excessive-force-case-sues-shreveport-spd-chief-others/4301917001/>.

96. Ms. Mims did not stop her vehicle immediately because the road she was on did not have a shoulder and she was looking for a safe, well-lit place to pull over.

97. Officer McConnell then engaged his overhead lights and siren.

98. Mims stopped at a red light, and once the light turned green, she proceeded forward at a very low rate of speed and then engaged her right-hand turn signal before turning into a parking lot.

99. Officer McConnell pulled up behind Mims, and he and Officer Charles Strawn exited the police cruiser.

100. Officer McConnell approached Mims's driver's side with his service weapon drawn at the "low ready" position.

101. As he approached the vehicle, he was able to see that Mims was alone and holding her cell phone in her hand.

102. Officer McConnell then holstered his weapon and addressed Mims in rapid, unintelligible speech.

103. Mims asked Officer McConnell why he had his gun out and informed him that she had waited to pull over because she didn't feel comfortable stopping on a dark road.

104. Officer McConnell responded, "you need to shut your mouth," and opened the driver's side door.

105. Officer McConnell did not ask or order Mims to exit the vehicle.

106. Instead, he grabbed Mims's left arm and forcibly removed her.

107. Mims began asking "what did I do?" and "what are you doing?"

108. Officer McConnell then swung Mims against the side of her car.

109. At this point, Officer Strawn and Officer Conner Ballard were also assisting Officer McConnell in exerting physical control over Mims.

110. Almost immediately after Officer McConnell swung Mims against the side of her vehicle, and while she was restrained, one of the officers tased her.

111. Officer McConnell then grabbed Mims and began dragging her to the ground.

112. After he began dragging her to the ground, he yelled “get on the ground” but did not give her any opportunity to voluntarily comply with the command.

113. At this point Officers McConnell and Ballard had full physical control of Mims, who was sitting on the ground.

114. Officer Strawn then instructed the other officers to back away, and they both let go of Mims.

115. Officer Strawn then deployed a taser against Mims, striking her in the neck and administering a continuous shock that completely incapacitated her.

116. Mims then fell to her side and began trembling and shaking as a result of the continuous shock from the taser which was lodged in her neck.

117. About 4 to 5 seconds later, and while Mims was totally incapacitated, Officer McConnell yelled at Mims to put her hands behind her back.

118. Due to the incapacitation caused by the taser, Mims was incapable of complying with the command.

119. Nevertheless, she began to attempt to sit up and comply, but Officer McConnell then struck her in the head and side of her head with his hand before forcing her back down onto her side.

120. The officers then verbally berated Mims and called her stupid when she asked what she had done wrong, and officer McConnell leaned down and yelled at her that her job was to do as she was told.

121. Mims was arrested for flight from an officer and improper display of tags.

122. In the arrest report prepared by Officer McConnell, Officer McConnell made several false claims, including but not limited to, that Mims was immediately “verbally non-compliant,” that he commanded her to step out of the vehicle, that he commanded her to get on the ground but she refused, and that Mims continued to resist cuffing after being tased while on the ground.

123. Ultimately, all of the charges against Mims were dismissed by the City Prosecutor’s Office.

Chico Bell and Damon Robinson⁸

124. On January 24, 2020, Chico Bell was driving a Chevrolet truck with a man named Damon Robinson in the passenger seat when officers from the SPD attempted to stop him for seatbelt violations.

125. Instead of stopping immediately, Bell drove away from officers, throwing several objects from the truck as he did so.

126. Bell eventually stopped the truck, and he and Robinson both raised their hands in an apparent attempt to surrender as eight (8) SPD officers approached the truck.

127. Despite Bell and Robinson’s attempt to surrender, the officers violently assaulted both men.

⁸ <https://www.nytimes.com/2020/06/30/us/louisiana-police-violence-excessive-force.html>.

128. Officers pulled Bell out of the vehicle through his driver window before they hit him, kicked him, and shocked him with a taser.

129. Robinson, who initially remained in the vehicle, was punched multiple times by one officer while other officers held his hands.

130. Officers then removed Robinson and put him on the ground before an officer struck him in the face with a flashlight while his hands were behind his back.

131. As a result of the attack, Bell suffered a broken eye socket/orbital bone.

132. Similarly, Robinson's nose was broken in several places.

Tommie McGlothen⁹

133. On April 5, 2020, SPD officers had three encounters with Tommie McGlothen, who displayed signs that he was a mental patient in need of medical treatment.

134. On the third encounter, McGlothen blocked a driveway and followed a homeowner inside his house while mumbling incoherently and exhibiting signs of paranoia and emotional disturbance.

135. Officers D'Marea Johnson, Brian Ross, James LeClare, and Treona McCarter responded to the scene.

136. After McGlothen fought with the homeowner, the officers used Tasers, mace, and nightsticks to subdue McGlothen.

137. Officers then wrestled him to the ground, punching and kicking him repeatedly, and the same was captured on cell phone video.

⁹ <https://www.nytimes.com/2020/09/18/us/shreveport-police-officers-charged-death.html>; <https://www.ksla.com/2020/06/08/ksla-investigates-reveals-video-tommie-mcglothens-last-encounter-with-police/>.

138. The officers then placed McGlothen in a patrol cruiser on his head, limiting his ability to breathe.

139. Officers held McGlothen in the cruiser, largely unsupervised, for forty-eight (48) minutes and he died at a hospital a short time later.

140. The Caddo Parish Coroner determined McGlothen's death to be preventable as the officers should have known that he needed medical treatment.

Brandon Kennedy¹⁰

141. On December 15, 2020, Brandon Kennedy was standing in the checkout line of a local Shreveport store.

142. As Kennedy waited in line, he struck up a conversation with another customer.

143. During the conversation, Mr. Kennedy expressed his support for the Black Lives Matter movement and discussed his own negative experiences with the SPD.

144. As the conversation continued, a uniformed SPD officer, Montrell Jackson, appeared behind Kennedy.

145. Kennedy told the other customer, "I have to watch my back because the police like to put their hands on me."

146. Officer Jackson then ordered Kennedy to leave the store.

147. Once outside the store, Officer Jackson provoked and escalated the situation.

148. Officer Jackson approached Kennedy, grabbed him by the neck, and slammed him to the ground.

149. Officer Jackson then forcefully placed his knee on Kennedy's back.

¹⁰ <https://www.laclu.org/en/press-releases/aclu-reaches-settlement-shreveport-police-department-after-officers-beat-black-man>; https://www.laclu.org/sites/default/files/doc_56_-_first_amended_complaint.pdf.

150. With Kennedy subdued under his knee, Officer Jackson grabbed Kennedy's face with both hands and forcefully slammed it into the concrete pavement.

151. As Officer Jackson was forcing Kennedy to the ground, Officer Justin White approached from a nearby police cruiser.

152. Rather than intervening in the assault, Officer White took Kennedy's groceries.

153. The officers then handcuffed Kennedy as he lay on the ground.

154. Surveillance video demonstrated that Kennedy did not pose a threat to officers or anyone else.

155. The Officers searched Kennedy and found nothing on his person.

156. Kennedy was then placed in the back of a police car.

157. When Kennedy asked why he was being arrested, Officer Jackson told him that he was not arresting him or accusing him of a crime, but that he was taking him to the hospital for a mental evaluation.

158. Officer Jackson then drove Kennedy to Ochsner LSU Health Shreveport.

159. At the hospital, Officer Jackson escorted Kennedy in handcuffs to the hospital's psychiatric ward.

160. Because Kennedy was brought in by a police officer, he was told he could not leave until he was evaluated by a psychiatrist.

161. The next morning, the hospital's psychiatrist evaluated Kennedy and determined there was no basis to hold him.

162. Two days after the incident, Kennedy took himself to the emergency room, where he was diagnosed with neck and muscle strains and rib pain.

163. Kennedy also suffered ongoing mental and emotional distress and PTSD-type symptoms.

164. Kennedy ultimately brought a lawsuit against the officers and the chief of police, which was eventually settled.

Desmond Lewis¹¹

165. On September 11, 2021, Desmond Lewis was at his mother's residence when he decided to go to a nearby Circle K to purchase some items.

166. Lewis had two cell phones on his person but was unarmed.

167. While at the Circle K, Lewis did not cause a disturbance or harass anyone.

168. No patrons reported that he was in possession of weapon or that he was threatening to harm anyone.

169. Officer Demetrius Horton arrived at the Circle K before Lewis left.

170. Lewis had not and was not committing a crime when Officer Horton approached him.

171. Officer Horton then harassed Lewis for no lawful reason.

172. Lewis, not wanting any trouble, decided to leave the store immediately.

173. For some unknown reason, Officer Horton pursued Lewis out of the store.

174. Witnesses indicated that as Officer Horton pursued Lewis, Lewis was running and appeared to be scared.

175. After a short pursuit, Officer Horton tackled Lewis to the ground and was observed placing Lewis's hands behind his back.

¹¹ <https://louisianarecord.com/stories/619593552-shreveport-police-faces-wrongful-death-lawsuit-over-shooting-of-desmond-lewis>; <https://s3.amazonaws.com/jnswire/jns-media/6b/bc/11674890/lalewisvhorton.pdf>.

176. Pursuant to witnesses, Officer Horton was straddled on top of Lewis, who was faced down and unable to get up, when he fired multiple shots at Lewis, hitting him in the back of his head and left forearm.

177. Witnesses stated that Lewis was not in possession of a weapon and did not make gestures as if he were in possession of a weapon when Officer Horton shot him execution style in the back of the head.

178. Lewis ultimately died after receiving no medical attention from Officer Horton or any of the officers who arrived on scene.

Unconscious Woman¹²

179. In June 2023, two videos posted to social media sites depicted officers, at least one of which is wearing a uniform bearing the SPD shoulder patch, engaging in excessive force against an unconscious woman.

180. In one video, an officer can be seen raining down punches on a woman while at least one of her hands is behind her back.

181. A second video shows officers dragging the same woman's limp, nearly naked body across a field as dozens of onlookers expressed their disapproval.

182. The officers, one of which is wielding an assault rifle, then let the woman fall to the ground as they turned to face the bystanders.

¹² <https://newsone.com/4625723/shreveport-police-brutality-video/>; <https://defendernetwork.com/news/national/video-shows-shreveport-police-beating-black-woman-unconscious/>.

Decedent Myles's death is attributable to unconstitutional written and unwritten SPD policies on seizures and the use of force.

183. In July 2020, Councilwoman LeVette Fuller, a city council member in Shreveport, submitted a formal request for a patterns or practice investigation to the Department of Justice after the City Council unanimously approved a resolution to do so. Fuller hoped the documented cases of excessive use of force by the SPD, as well as evidence of them withholding information about those events in many instances, would be enough to get the DOJ's attention for an investigation in Shreveport. As such, the City was clearly aware that problems existed within the SPD.¹³

184. The SPD continually failed to train its officers adequately in the constitutional seizure of citizens and the constitutional use of force, despite knowing of the need to do so.

185. Even if the SPD trained its officers in accordance with its own written policies on the use of force, such training was necessarily inadequate to instruct officers in the constitutional limits on force, because the policies themselves promote unconstitutional used of non-deadly and deadly force.¹⁴

186. The SPD's policies on the use of force instruct officers that the degree of non-deadly force is objectively reasonable even when based on the officers' subjective evaluation and that officers may use deadly force when no immediate threat of harm actually exists. Both policies directly contradict what the United States Supreme Court has determined are the constitutional limits of the use of force and are thus facially unconstitutional.

187. The SPD's policies further instruct that an officer may use deadly force when they reasonably believe a threat exists, regardless of whether the threat actually exists and regardless of

¹³ www.shreveportla.gov/AgendaCenter/ViewFile/Item/23520?fileID=48101.

¹⁴ [https://dsgis.s3.us-east-2.amazonaws.com/601-10+Use+of+Force+\(1\).pdf](https://dsgis.s3.us-east-2.amazonaws.com/601-10+Use+of+Force+(1).pdf)

whether the threat is immediate. A policy that instructs an officer that they may use deadly force against a suspect who does not actually pose an immediate threat of danger violates the constitutional limits on the use of force.

188. Additionally, the United States Supreme court has concluded that the objective reasonableness of a certain use of force must be judged from the perspective of a reasonable officer on the scene, not based on the particular officer's subjective evaluations. As such, in determining what degree of force is appropriate, officers may not consider subjective criteria. Thus, because the SPD policy defines objective reasonableness to include subjective criteria, it violates the constitutional limits on the use of force.

189. Policies that ignore the United States Supreme Court's interpretation of the Constitution are facially unconstitutional. The SPD's policies on the use of force instruct officers that the degree of non-deadly force is objectively reasonable even when based on the officers' subjective evaluation and that officers may even use deadly force when no immediate threat of harm actually exists. Because both policies directly contradict what the United States Supreme Court has determined are the constitutional limits of the use of force, the same are facially unconstitutional.

190. By training its officers to follow unconstitutional written use-of-force policies, Defendant Shreveport failed to train Defendant Caldwell regarding deadly and non-deadly force in a manner that is consistent with the Constitution. Defendant Caldwell's lack of training in the constitutional limits of the use of force caused him to use deadly force against Mr. Myles when he posed no immediate threat of harm to officers or anyone else, while he was attempting to flee, and while his back was turned to Defendant Caldwell. Stated differently, Defendant Shreveport's written and unwritten policies and training failures caused Defendant Caldwell to improperly seize

Mr. Myles and to use excessive deadly force that was unjustified under the circumstances, both in violation of Mr. Myles's Fourth Amendment rights, a moving force behind the injuries Mr. Myles suffered.

191. The SPD did not provide adequate training to Defendant Caldwell in the legal justifications to execute a lawful seizure of a citizen.

192. The SPD did not provide adequate training to Defendant Caldwell in the use of deadly force and the use of non-deadly force.

193. The SPD did not provide adequate training to Defendant Caldwell on proper arrest, confrontation techniques, and de-escalation of force.

194. Defendant Shreveport knew or should have known that the training was inadequate or nonexistent. Defendant Shreveport ratified the acts of Defendant Caldwell and have continued to cover-up for him. Despite the unlawful acts of Defendant Caldwell, he remains a Shreveport police officer.

195. Mr. Myles posed no threat of imminent danger of death or great bodily harm to Defendant Caldwell or any other person in the immediate area.

196. Defendant Caldwell's unlawful and unwarranted acts, lack of training, and the official customs or policies of the SPD caused Mr. Myles's wrongful death.

197. Plaintiffs would further demonstrate that at all times material to the Complaint, Defendant Caldwell was acting under the color of state law when he shot and killed Mr. Myles.

198. Plaintiffs would further show that Defendant Caldwell's actions were the result of, or within the scope of, wrongful and reckless customs, policies, practices, and/or procedures of the SPD in regard to the use of deadly force for which Defendant Shreveport knew or should have known but never provided the requisite and proper training.

199. Defendant Caldwell had no probable cause or reasonable suspicion to believe that Mr. Myles was or attempting to commit a crime. Rather, when Defendant Caldwell approached Mr. Myles, he was sitting in the passenger seat of a vehicle and offering to provide officers with his insurance card in lieu of his ID. At the time Mr. Myles fled the scene, there was no indication that he had committed a crime or that he was wielding a weapon, and he was not attempting to harm Defendant Caldwell or anyone else.

200. Defendant Caldwell further did not have a reasonable belief that Mr. Myles was attempting to harm him or anyone else at the time Defendant Caldwell shot and killed him. While Mr. Myles did have a gun in his hand, he held it pointed at the ground, did not point it at Defendant Caldwell, and did not turn and face Defendant Caldwell. Rather, Defendant Caldwell shot Mr. Myles once in his side and twice in his back.

201. Defendant Shreveport and the SPD have a longstanding record of not providing SPD officers with adequate training, and not preventing excessive force and extrajudicial killings by Shreveport Police officers. Defendant Caldwell's inadequate training resulted in the death of Mr. Myles. Despite the number of internal affairs complaints lodged against police officers for misconduct, the SPD continues to cover up for the bad acts of its officers.

202. The internal affairs section of the SPD has received hundreds of complaints involving the use of excessive force by police officers but rarely takes any disciplinary action against the officers. This has resulted in a failure to supervise, discipline, counsel, or otherwise control police officers who are known or should be known to engage in the use of excessive force. The police officers know at the time they act that their use of excessive force and deadly force in conscious disregard of the rights and safety of innocent civilians will meet with the approval of Defendant Shreveport and its policymakers.

203. The City Council are aware that the SPD has significant issues regarding its use of force practices, but nothing has been done. SPD's lack of supervision and accountability transparency with the complaint process remain a major concern.

204. The problems in the SPD's Internal Affairs involve more than just policy concerns. Internal Affairs' instinctual reaction to most complaints is to protect fellow officers and to disbelieve and attack the credibility of complainants. As a result, individuals in the Shreveport community are afraid to report the bad acts of police officers out of fear of being retaliated against.

205. Ultimately, rather than implement policies and procedures to curtail death and/or injuries that result from the use of excessive force and the improper use of deadly force, the SPD's written policies promote the unconstitutional use of force and Defendant Shreveport has condoned such conduct in failing to properly train or discipline SPD officers.

**FOR A FIRST CAUSE OF ACTION
(Unreasonable Seizure in Violation
of the Fourth and Fourteenth Amendments)
(against Defendant Caldwell)**

206. Plaintiffs repeat and reallege the factual allegations contained in Paragraphs 1–62 as if fully restated herein.

207. This is an action brought against Defendant Caldwell in his individual capacity, pursuant to the Fourth Amendment to the United States Constitution as incorporated through the Fourteenth Amendment, for Defendant's violation of 42 U.S.C. § 1983.

208. At all times material hereto, Defendant Caldwell was an employee and/or agent of the Shreveport Police Department, and was acting within the course and scope of his employment, under color of state law, to wit, under color of the statutes, ordinances, regulations, policies, customs, and usages of the Shreveport Police Department.

209. As set forth in this Complaint, on November 5, 2023, Defendant Caldwell unreasonably seized Decedent Myles, including:

- a. seizing Decedent Myles without probable cause to arrest;
- b. seizing Decedent Myles by force without probable cause to arrest or probable cause that he presented an immediate threat to Defendant Caldwell or anyone else;
- c. threatening to shoot Decedent Myles multiple times while affecting the seizure; and
- d. seizing Decedent Myles by force in handcuffing him after he had been incapacitated and subdued.

210. The series of seizures of Decedent Myles by Defendant Caldwell was objectively unreasonable in light of the facts and circumstances confronting him.

211. By the time of this incident, the laws prohibiting Defendant Caldwell's unconstitutional seizure, particularly the Fourth Amendment's command that all arrests be supported by probable cause, were clearly established under the United States Constitution.

212. Defendant Caldwell knew or should have known, and every reasonable officer in his position would have concluded, that seizing Decedent Myles by force without probable cause that he had committed a crime or that he presented an immediate danger to anyone was unjustifiable and unlawful.

213. Similarly, Defendant Caldwell knew or should have known, and every reasonable officer in his position would have concluded, that the use of force, the attempted use of force, and the threatened use of deadly force used to affect the seizure were excessive, unjustifiable, and unlawful.

214. Defendant Caldwell did not have probable cause or reasonable suspicion that Decedent Myles had committed any crime.

215. At the beginning of the traffic stop, Defendant Caldwell did not have probable cause or reasonable suspicion that Decedent Myles was armed or dangerous.

216. After chasing him to the carport, Defendant Caldwell did not have probable cause that Decedent Myles posed any threat of harm to him or anyone else as Decedent Myles had his firearm pointed at the ground, his back turned to Defendant Caldwell, and never pointed the weapon at him.

217. No additional underlying offense has ever been alleged against Decedent Myles, and Defendant Caldwell did not have probable cause or reasonable suspicion that Decedent Myles was engaged in criminal activity.

218. Defendant Caldwell's conduct was objectively and subjectively unreasonable.

219. Defendant Caldwell's unreasonable seizures of Decedent Myles was the cause in fact and proximate cause of his injuries and death.

220. As a direct and proximate result of Defendant Caldwell's acts, omissions, and unlawful seizures, Defendant Caldwell deprived Decedent Myles of the rights guaranteed to him by the Fourth Amendment of the United States Constitution, in particular, depriving him of the right to be free of unreasonable seizure.

221. As a direct and proximate result of Defendant Caldwell's wrongful acts and omissions, Mr. Myles next of kin have suffered pecuniary loss, including medical and funeral expenses, loss of aid, counsel, guidance, advice, assistance, protection, and support in an amount to be determined by a jury.

222. Defendant Caldwell is liable to Plaintiffs for Decedent Myles's injuries, pain and suffering, and death, and for the harm suffered by his estate.

FOR A SECOND CAUSE OF ACTION
(Unreasonable Seizure in Violation of the Fourth and Fourteenth
Amendments and Monell v. Department of Social Services of City of New York
(against Defendant Shreveport)

223. Plaintiffs repeat and reallege the factual allegations contained in Paragraphs 1–205 as if fully restated herein.

224. This action is brought against Defendant Shreveport pursuant to the Fourth Amendment to the United States Constitution as incorporated through the Fourteenth Amendment, for Defendant’s violations of 42 U.S.C. § 1983.

225. Prior to November 5, 2023, Defendant Shreveport developed and maintained policies, customs, and/or patterns and practices of unreasonably seizing individuals in the Shreveport community, including seizing individuals without reasonable suspicion or probable cause and seizing individuals in an unreasonable manner under the circumstances. This in turn has resulted in the systemic deprivation of Fourth and Fourteenth Amendment rights, which caused the violation of Plaintiff’s rights. The systemic deprivation of rights constituted a widespread pattern of which Defendant Shreveport had personal and intimate knowledge, and, as demonstrated above, these were obvious, flagrant, rampant, and not isolated occurrences.

226. Defendant Shreveport maintained a custom and policy and/or pattern and practice of allowing officers to seize individuals without requisite probable cause or reasonable suspicion and allowing officers to seize individuals in a manner grossly inappropriate for low-level offenses or investigatory stops, as well as failing to adequately and properly train, retrain, supervise, and discipline officers, and failing to conduct fair and impartial investigations of complaints of officer misconduct and officer’s unreasonable seizures.

227. Upon information and belief, Defendant Shreveport has had a history of unreasonable seizure complaints and allegations of Constitutional rights violations committed by

its officers, as well as allegations of failure of to discipline, correct the misconduct, or properly train and/or supervise officers, which Defendant Shreveport has either ignored or endorsed through a lack of investigation and internal remediation within the SPD.

228. Together, this conduct demonstrates a perpetual and deliberate indifference to the constitutional rights of the citizens of Shreveport, including Plaintiff, whose constitutional right to be free of unreasonable seizure guaranteed by the Fourth and Fourteenth Amendments of the United States Constitution was violated on November 5, 2023.

229. Defendant Shreveport was aware of problems with officers' actions, inactions, and omissions while acting under the color of law, and officers' unreasonable seizures and violations of due process of law.

230. Defendant Shreveport's conduct was objectively and subjectively unreasonable.

231. Defendant Shreveport's pattern and practice of allowing officers to engage in unreasonable seizures was the cause in fact and proximate cause of Decedent Caldwell's injuries and death.

232. These failures constitute violations of Decedent Caldwell's substantive due process rights guaranteed under 42 U.S.C. § 1983, the Fourth Amendment, and the Fourteenth Amendment to the United States Constitution.

233. Defendant Shreveport is liable to Plaintiffs based upon these improper practices.

FOR A THIRD CAUSE OF ACTION
(Excessive Use of Force in Violation
of the Fourth and Fourteenth Amendments)
(against Defendant Caldwell)

234. Plaintiffs repeat and reallege the factual allegations contained in Paragraphs 1–62 as if fully restated herein.

235. This action is brought against Defendant Caldwell in his individual capacity, pursuant to the Fourth Amendment to the United States Constitution as incorporated through the Fourteenth Amendment, for Defendant's violations of 42 U.S.C. § 1983.

236. At all times material hereto, Defendant Caldwell was an employee and/or agent of the Shreveport Police Department, and was acting within the course and scope of his employment, under color of state law, to wit, under color of the statutes, ordinances, regulations, policies, customs, and usages of the Shreveport Police Department.

237. As set forth in this Complaint, on November 5, 2023, Defendant Caldwell used unnecessary, excessive, and deadly force on Decedent Myles. The amount of force used by Defendant Caldwell was objectively unreasonable in light of the facts and circumstances confronting him.

238. By the time of this incident, the laws prohibiting Defendant Caldwell's unconstitutional use(s) of force were clearly established under the United States Constitution.

239. Defendant Caldwell knew or should have known, and every reasonable officer in their position would have concluded, that the force used against Decedent Myles was excessive, unjustifiable, and unlawful.

240. At the time of this incident, Decedent Myles was the passenger of a car stopped for a minor window tint violation, had no outstanding warrants, was not engaged in criminal activity, and was not threatening or acting violently towards the officers on scene. After Decedent Myles fled the initial stop and reached the carport, Defendant Caldwell lacked probable cause that Decedent Myles had committed a crime or that he was an immediate threat to Officer Caldwell or anyone else. Nevertheless, Defendant Caldwell shot Decedent Myles, once in the side and twice in the back.

241. Following the shooting, Defendant Caldwell forcefully placed an incapacitated and dying Decedent Myles in handcuffs while he was faced down on the ground, and left him to bleed out with his arms handcuffed behind his back.

242. Throughout the entire incident, Defendant Caldwell never attempted a single de-escalation technique before drawing his Taser and attempting to deploy it against Plaintiff, or before drawing his firearm and shooting him.

243. Defendant Caldwell had actual knowledge that Decedent Myles did not pose an immediate threat to him, as Decedent Myles had his firearm pointed toward the ground, never pointed his firearm at Defendant Caldwell, and stood with his side and/or his back to Defendant Caldwell.

244. Defendant Caldwell's use of force can be separated into four distinct uses of force:

- a. when Defendant Caldwell shot Decedent Myles in the side of his right arm;
- b. when Defendant Caldwell first shot Decedent Myles in the back;
- c. when Defendant Caldwell shot Decedent Myles in the back a second time; and
- d. when Defendant Caldwell forcefully placed Decedent Myles in handcuffs and left him to bleed out faced-down on the ground.

245. Defendant Caldwell's conduct was objectively and subjectively unreasonable.

246. Defendant Caldwell's clear uses of excessive force were the cause in fact and proximate cause of Decedent Myles's injuries and death.

247. As a direct and proximate result of Defendant Caldwell's acts, omissions, and clear uses of excessive force, this Defendant deprived Decedent Myles of the rights guaranteed to him by the Fourth and Fourteenth Amendments of the United States Constitution, in particular, depriving him of the right to be free of excessive force and of bodily integrity.

248. As a direct and proximate result of Defendant Caldwell's wrongful acts and omissions, Mr. Myles's next of kin have suffered pecuniary loss, including medical and funeral expenses, loss of aid, counsel, guidance, advice, assistance, protection, and support in an amount to be determined by a jury.

249. Defendant Caldwell is liable to Plaintiffs for Decedent Myles's injuries, pain and suffering, and death, and for the harm suffered by his estate.

FOR A FOURTH CAUSE OF ACTION
(Excessive Use of Force in Violation of the Fourth and Fourteenth
Amendments and Monell v. Department of Social Services of City of New York)
(against Defendant Shreveport)

250. Plaintiffs repeat and reallege the factual allegations contained in Paragraphs 1–205 as if fully restated herein.

251. This action is brought against Defendant Shreveport, pursuant to the Fourth Amendment to the United States Constitution as incorporated through the Fourteenth Amendment, for Defendant's violations of 42 U.S.C. § 1983.

252. Prior to November 5, 2023, Defendant Shreveport developed and maintained written and unwritten policies, customs, and/or a pattern and practice of encouraging and/or allowing excessive force against the citizens of Shreveport, which in turn caused the violation of Decedent Myles's rights. The systemic deprivation of rights constituted a widespread pattern, of which Defendant Shreveport had personal and intimate knowledge, and these were obvious, flagrant, rampant, and not isolated occurrences.

253. Defendant Shreveport maintained written and unwritten policies and/or patterns and practices of using, encouraging, and allowing the use of excessive force and the deprivation of due process, as well as failing to adequately and properly train, retrain, supervise, and discipline

officers, and failing to conduct fair and impartial investigations of complaints of officer misconduct and officers' uses of excessive force.

254. Upon information and belief, Defendant Shreveport and the SPD have had a history of excessive force complaints and allegations of Constitutional rights' violations committed by its police officers, as well as allegations of failure to discipline, correct the misconduct, or properly train and/or supervise officers, which Defendant Shreveport has either ignored or endorsed through a lack of investigation and internal remediation within the SPD.

255. Together, this conduct demonstrates a perpetual and deliberate indifference to the constitutional rights of citizens in Shreveport, including Plaintiff, whose constitutional right to be free of excessive and unlawful force guaranteed by the Fourth and Fourteenth Amendments of the United States Constitutions was violated on November 5, 2023.

256. Defendant Shreveport was aware of problems with officers' actions, inactions, and omissions while acting under the color of law, and officers' uses of excessive force and violations of due process of law.

257. Defendant Shreveport's conduct was objectively and subjectively unreasonable.

258. Defendant Shreveport's written and unwritten policies, patterns, and practices of encouraging and allowing officers to engage in excessive force was the cause in fact and proximate cause of Decedent Myles's injuries.

259. These failures constitute violations of Decedent Myles's substantive due process rights guaranteed under 42 U.S.C. § 1983, the Fourth Amendment, and the Fourteenth Amendment to the United States Constitution.

260. Defendant Shreveport is liable to Plaintiffs based upon these improper policies and practices.

**FOR A FIFTH CAUSE OF ACTION
(Failure to Render Aid in Violation
of the Fourteenth Amendment)
(against Defendant Caldwell)**

261. Plaintiffs repeat and reallege the factual allegations contained in Paragraphs 1–62 as if fully restated herein.

262. This action is brought against Defendant Caldwell in his individual capacity, pursuant to the Fourteenth Amendment to the United States Constitution for Defendant’s violations of 42 U.S.C. § 1983.

263. At all times material hereto, Defendant Caldwell was an employee and/or agent of the Shreveport Police Department, and was acting within the course and scope of his employment, under color of state law, to wit, under color of the statutes, ordinances, regulations, policies, customs, and usages of the Shreveport Police Department.

264. As set forth in this Complaint, on the morning of November 5, 2023, Defendant Caldwell unreasonably shot Decedent Caldwell in the side of his right arm and twice in the back, and further failed to render aid when he did not immediately attempt to provide assistance. Rather, Defendant Caldwell moved to handcuff Decedent Myles, who was incapacitated and faced-down on the ground, before leaving him to bleed out with his hands cuffed behind his back. Defendant Caldwell’s failure to render aid to Decedent Myles constitutes deliberate indifference to his serious medical needs.

265. By the time of this incident, the laws prohibiting Defendant Caldwell’s failure to render aid were clearly established under the Fourteenth Amendment of the United States Constitution.

266. Defendant Caldwell knew or should have known, and every reasonable officer in his position would have concluded, that the failure to render aid to Decedent Myles was cruel, unusual, and unlawful.

267. Prior to his failure to render aid, Defendant Caldwell shot Decedent Myles resulting in wounds to his arm, chest, and back, thereby establishing a special duty to come to his aid.

268. Defendant Caldwell faced no danger in rendering aid to Decedent Myles, as he was incapacitated. Moreover, Defendant Caldwell moved to place Decedent Myles in handcuffs but opted not to render aid after doing so. Defendant Caldwell was the only person who could have provided immediate aid to Decedent Myles at the scene.

269. Upon information and belief, Defendant Caldwell had not been trained in first aid, or in the event of such training, disregarded the training, and failed to apply these principles in failing to immediately render aid to Decedent Myles and in failing to properly treat his bleeding wounds.

270. Defendant Caldwell's conduct was objectively and subjectively unreasonable.

271. Defendant Caldwell's clear failure to render aid was the cause in fact and proximate cause of Decedent Myles's injuries and death.

272. As a direct and proximate result of Defendant Caldwell's acts, omissions, and failure to render aid, Defendant Caldwell deprived Decedent Myles of the rights guaranteed to him by the Fourteenth Amendment of the United States Constitution, in particular, depriving him of the right to be free of deliberate indifference to serious medical needs.

273. As a direct and proximate result of Defendant Caldwell's wrongful acts and omissions, Mr. Myles's next of kin have suffered pecuniary loss, including medical and funeral

expenses, loss of aid, counsel, guidance, advice, assistance, protection, and support in an amount to be determined by a jury.

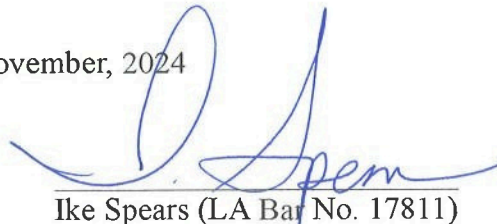
274. Defendant Caldwell is liable to Plaintiffs for Decedent Myles's injuries, pain and suffering, and death, and for the harm suffered by his estate.

JURY DEMAND

WHEREFORE, Plaintiffs demand a trial by jury and respectfully request that this Court award the following damages against Defendants, as provided by federal law and the United States Constitution, including but not limited to the following:

- a. Compensatory, actual, and consequential damages to Plaintiff;
- b. Costs of this action and attorneys' fees to Plaintiffs under 42 U.S.C. § 1988;
- c. Loss of past and future support and services with interest;
- d. Loss of earnings and/or earning capacity;
- e. Punitive damages as to those causes of action where they are available; and
- f. Such other and further relief as this Court may deem appropriate.

Respectfully submitted, this 1st day of November, 2024



Ike Spears (LA Bar No. 17811)
Spears & Spears
909 Poydras Street, Ste. 1825
New Orleans, LA 70112
T: (504) 593-9500
Ike@spearslaw.com

Bakari T. Sellers* (S.C. Bar No. 79714)
Mario A. Pacella* (S.C. Bar No. 68488)
Strom Law Firm, LLC
6923 North Trenholm Road, Suite 200
Columbia, SC 29206