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15 SUPERIOR COURT OF THE STATE OF ARIZONA
16 COUNTY OF MARICOPA

17 DARNAY COCKRELL

18 Plaintiffs,

19 vs.

20 CITY OF MESA, OFFICER HELFRICH
21 (#25208), & OFFICER BROWN (#24030)

22 Defendants.

Case No.

CV2025-027181

COMPLAINT

23 **INTRODUCTION**

24 On August 6, 2024, Plaintiff Darnay Cockrell called the City of Mesa Police
25 Department to report that his ex-girlfriend had kidnapped their common daughter. Darnay
26 was not under suspicion of having committed any crime but was understood by 911
dispatch and the responding officers to be, along with his daughter, a crime victim. In
keeping with a long-standing practice of racial discrimination against African Americans,

1 the responding officers from the City of Mesa Police Department treated Darnay like a
2 perpetrator or crime suspect instead of as a crime victim.

3 **VENUE & JURISDICTION**

- 4 **1.** Venue is proper in Maricopa County Superior court because the actions complained
5 of occurred in Maricopa County. Jurisdiction is proper in Maricopa County Superior
6 Court because the amount in controversy exceeds \$10,000.
7

8 **PARTIES**

- 9 **2.** Plaintiff Darnay Cockrell is a resident of Maricopa County, Arizona.
10
11 **3.** Defendant City of Mesa is a municipality and a political subdivision of the State of
12 Arizona, organized and existing under the laws of the State of Arizona. Defendant
13 City of Mesa is responsible for the conduct of its officers and employees, including
14 Defendants Helfrich and Brown, and is liable to Plaintiff for the damages resulting
15 from their conduct under the theory of *respondeat superior*.
16
17 **4.** Defendant Officer Unknown Helfrich (#25208) is an individual and a resident of
18 Maricopa County, Arizona. At all relevant times, Helfrich was a police officer
19 employed by the City of Mesa acting within the course and scope of his employment,
20 and under color of state law.
21
22 **5.** Defendant Officer Unknown Brown (#24030) is an individual and a resident of
23 Maricopa County, Arizona. At all relevant times, Brown was a police officer
24 employed by the City of Mesa acting within the course and scope of her employment,
25 and under color of state law.
26

FACTS

6. Plaintiff Darnay Cockrell has custody of his 4-year old daughter Zaniya Connor.
7. Nicole Connor is the mother of Zaniya but Nicole was not able to care for Zaniya and gave Zaniya to Darnay in 2021 to live with him.
8. On August 6, 2024, Nicole came to Darnay's house without permission.
9. Nicole entered into Darnay's house.
10. Nicole told Darnay that she was going to take Zaniya.
11. Darnay called the police. The person told him to go to a different room.
12. When Darnay went out of the room, Nicole took Zaniya and ran with the child.
13. Darnay followed Nicole and ran down the stairs.
14. Defendant Helfrich showed up while Darnay was running after Nicole. Helfrich stood in front of Darnay and told Darnay to shut up.
15. Darnay became upset and told Helfrich that he was trying to get his daughter back.
16. Helfrich told Darnay to "shut the fuck up" and "get on the ground".
17. Darnay refused to get on the ground.
18. Defendant Brown showed up and called a "Code 12" and said, "you brought this on yourself."

1 **19.** Defendants grabbed Darnay by both wrists behind trying to handcuff him.



12
13 **20.** The officers tried to kick Darnay's feet out from under him.



25 **21.** Darnay went onto his knees. The officers started kneeling Darnay in the back.

26 **22.** The officers handcuffed Darnay.



23. Defendant Helfrich asked him, “what’s up with your baby momma?”

24. Darnay was handcuffed for approximately 30 minutes.

25. Both Helfrich and Brown were aware that Darnay was the victim of a crime.

1 26. Neither Helfrich nor Brown had reasonable suspicion that Darnay had committed any
2 crime.

3 27. On information and belief, both Helfrich and Brown treated Darnay as if he had
4 committed a crime because he is African American, tall, and physically fit.

5 28. On information and belief, Mesa Police Department trained Helfrich and Brown in a
6 manner in which they felt free to treat African Americans in the community as
7 criminals even without reasonable suspicion of a crime.

8 29. A sergeant arrived and helped Darnay to his feet and removed the handcuffs.

9 30. Darnay's watch and necklace were broken.

10 31. Darnay suffered back and knee injuries.

11 32. Darnay's employer fired him because of the events. He did not get another job until
12 December.

13 33. Darnay could not afford rent and had to move out of his apartment.

14 CLAIMS

15 COUNT I

16 Assault and Battery (Against All Defendants)

17 36. Plaintiff incorporates all preceding paragraphs as if fully set forth herein.

18 37. At all relevant times, the Officer Defendants and other Mesa officers were acting in
19 the course and scope of their employment for Defendant City of Mesa.

20 38. The Officer Defendants assaulted and battered Plaintiff.

21 39. The Officer Defendants intentionally caused harmful or offensive contact to Plaintiff.

22 40. The assault and battery were not justified.

23 41. As a result of the assault and battery, Plaintiff sustained serious injuries and

1 emotional distress, and he incurred medical expenses, other economic losses, and general
2 damages.

3 **COUNT II**
4 **Gross Negligence**
5 **Excessive Use of Force (Helfrich & Brown)**

6 **34.** Plaintiff incorporates all preceding paragraphs as if fully set forth herein.

7 **35.** Defendant City of Mesa owes a duty of care to members of the public with whom its
8 officers come into contact and/or investigate, including Plaintiff.

9 **36.** Defendant City of Mesa breached this duty by failing to adequately supervise its
10 officers, including the Officer Defendants.

11 **37.** Defendant City of Mesa breached this duty by failing to adequately train its officers
12 with respect to the seizure of suspects and the use of force.

13 **38.** Defendant City of Mesa breached this duty by failing to adopt adequate and
14 reasonable policies and training with respect to the seizure of suspects and the risks of
15 using force.

16 **39.** As a result of Defendant City of Mesa's breaches, Plaintiff sustained serious injuries
17 and emotional distress, and he incurred medical expenses, other economic losses, and
18 general damages.

19 **40.** Defendants Helfrich & Brown acting as agents and on behalf of the City of Mesa and
20 within the scope of their employment, intentionally and maliciously used excessive force,
21 beyond what any reasonable officer in the circumstances would have used while
22 detaining plaintiff Darnay Cockrell, in that they handcuffed his arms behind his back,
23 forced him to the ground, and put their knees into his back.
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26

1 **41.** By reason of the aforesaid, plaintiff Darnay Cockrell suffered great physical damage
2 and pain, intimidation and fear, conscious pain and suffering and was otherwise
3 damaged.

4 **42.** Defendants Helfrich and Brown's intentional and objectively unreasonable,
5 unnecessary and excessive use of force caused Plaintiff to be placed in reasonable fear of
6 imminent harmful and offensive bodily contact.

7 **43.** Defendants Helfrich and Brown's conduct in detaining, assaulting and using
8 objectively unreasonable, excessive and unnecessary force against Plaintiff without cause
9 or Plaintiffs consent, abused his power and authority as an employee of the City of Mesa
10 Police Department and under the color of state and/or local law.

11 **44.** The conduct of Defendants Helfrich and Brown in this cause of action, was so
12 egregious as to be regarded as atrocious and intolerable in a civilized society.

13 **45.** As a result of the conduct of Defendants Helfrich and Brown, Plaintiff suffered
14 serious physical injury causing Plaintiff to experience pain and suffering, future pain and
15 suffering, disabling physical symptoms and economic injuries. All of said injuries may be
16 permanent and all have caused diminution in the quality of Plaintiff's life.

17 **46.** As a result of the conduct of Defendants Helfrich and Brown, Plaintiff has been
18 forced to incur, past, present and future medical expenses and was deprived of his privacy
19 and liberty, has been adversely affected in his employment and in his ordinary life's
20 pursuits and, in addition, was emotionally traumatized and was caused, permitted and
21 allowed to fear for his physical safety, suffer humiliation, embarrassment, anxiety and
22 ridicule and suffer all the disabling mental and emotional symptoms of such injuries, all
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of which have caused diminution in the quality of Plaintiffs life and may be permanent.

COUNT III

42 U.S.C. § 1983 – Violation of Fourth Amendment Right to be Free of Unlawful Seizures and Excessive Force (Against Defendants Helfrich & Brown)

48. Plaintiff incorporates all preceding paragraphs as if fully set forth herein.

49. Plaintiff has a Fourth Amendment right to be free from unlawful searches and seizures and from excessive force.

50. Defendants Helfrich & Brown violated Plaintiff's Fourth Amendment rights when they attacked and beat Plaintiff.

51. Because Defendants' actions were done knowingly, intentionally, and maliciously, Plaintiff is entitled to recover compensatory and punitive damages.

COUNT IV

42 U.S.C. § 1983 – Violation of Fourteenth Amendment Right to Equal Protection Racial Profiling (City of Mesa)

47. The foregoing paragraphs are incorporated here by reference.

48. The defendant officers' misconduct was undertaken pursuant to and as the direct result of the Defendant City of Mesa Police Department's policies, pervasive, long-standing practices and customs, including but not limited to the City's policy and custom of condoning and authorizing (1) a pattern and practice of sending all-white teams of officers into neighborhoods, like plaintiffs' neighborhood, that are predominantly African-American and/or non-white Hispanic, which increases racial tensions and the likelihood that officers will use excessive force; and (2) Mesa PD officers' pattern and practice of more frequently and more egregiously using excessive force against African-Americans and Hispanics. Consequently, defendant City of Mesa is liable for

defendant officers' misconduct toward plaintiff.

49. As the direct and proximate result of defendant officers' misconduct and the department's policies, plaintiff has suffered and continues to suffer physical and psychological injuries and severe distress.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment as follows:

A. For special damages, including but not limited to current and future medical fees and expenses, lost wages, and other economic losses;

B. For general and compensatory damages, including but not limited to pain and suffering, emotional distress, and loss of enjoyment of life;

C. For punitive damages against Defendants Helfrich & Brown;

D. For taxable costs and pre- and post-judgment interest to the extent permitted by law;

E. For attorneys' fees and costs under 42 U.S.C. § 1988 to the fullest extent permitted by law; and

F. Such other or further relief as the Court deems appropriate.

Dated August 1, 2025



Stacy Scheff