

19TH JUDICIAL DISTRICT COURT PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

DOCKET NO.: _____

DIVISION: _____

KENNETH LACY and KANDACE WASHINGTON, Individually and as Surviving
Parents of KYREN LACY, Deceased

VERSUS

STATE OF LOUISIANA, through the LOUISIANA DEPARTMENT OF PUBLIC
SAFETY AND CORRECTIONS, LOUISIANA STATE POLICE; TROOPER TYLER
WERNER, individually and in his official capacity; and SERGEANT LEEMAN
HOWARD, individually and in his official capacity

FILED: _____

Deputy Clerk

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, come Plaintiffs, KENNETH
LACY and KANDACE WASHINGTON, individually and as the surviving parents of
Kyren Lacy, deceased, who respectfully represent as follows:

I. PARTIES

- A. Plaintiffs KENNETH LACY and KANDACE WASHINGTON are natural persons of the full age of majority, and are the surviving parents of Kyren Lacy, who died on or about April 12, 2025. KENNETH LACY is domiciled in Lafourche Parish, Louisiana, and KANDACE WASHINGTON is domiciled in Houston, Harris County, Texas.
- B. Defendant, the State of Louisiana, through the Louisiana Department of Public Safety and Corrections, Louisiana State Police ("LSP"), is a governmental entity amenable to suit under Louisiana law, including but not limited to La. R.S. 13:5101 *et seq.*, and may be served through its duly authorized agent for service of process.
- C. Defendant Trooper Tyler Werner ("Werner") is a Louisiana State Police trooper assigned to Troop C who was the primary investigating officer in the fatal crash on December 17, 2024. Werner is sued individually and in his official capacity for actions taken.

D. Defendant Sergeant Leeman Howard ("Howard") is a Louisiana State Police sergeant assigned to Troop C who participated in and supervised the investigation of the December 17, 2024 fatal crash. Howard is sued individually and in his official capacity for actions taken.

II. JURISDICTION AND VENUE

- A. This Court has subject matter jurisdiction over this action pursuant to La. Const. Art. V, § 16, as this is a civil action for damages arising under the laws of the State of Louisiana.
- B. Venue is proper in East Baton Rouge Parish pursuant to La. R.S. 13:5104(A), as Defendant LSP is a state agency headquartered in Baton Rouge, and the causes of action arose from acts and omissions occurring in connection with LSP's operations statewide, including investigations conducted under its authority in Lafourche Parish.
- C. Venue is proper as to individual defendants Werner and Howard pursuant to La. C.C.P. art. 42(5), as the wrongful acts and omissions giving rise to this action occurred within their official duties as LSP employees.

III. FACTUAL ALLEGATIONS

A. The December 17, 2024 Crash

- i. On December 17, 2024, shortly before noon, a two-vehicle collision occurred on Louisiana Highway 20 near Perez Lane in Lafourche Parish, Louisiana. The crash involved a 2017 Kia Cadenza and a 2017 Kia Sorento, resulting in the death of Herman Hall, a 78-year-old passenger in the Sorento.
- ii. Kyren Lacy, then 24 years old and a resident of Thibodaux, Louisiana, was driving a 2023 Dodge Charger southbound on LA Hwy 20 at the time. Prior to the crash, Mr. Lacy passed several vehicles, including an 18-wheeler, in a designated no-passing zone by temporarily entering the northbound lane.
- iii. According to video evidence and independent analysis by the Lafourche Parish District Attorney's Office, Mr. Lacy had safely returned to the southbound lane

approximately 92.3 yards before the point of impact and was approximately 72.6 yards behind the crash site when the collision occurred.

- iv. The crash was caused by the driver of the northbound Kia Cadenza following too closely behind a gold pickup truck. When the pickup truck slowed (without emergency braking), the Cadenza driver swerved left into the southbound lane to avoid rear-ending the truck, colliding head-on with the oncoming Sorento. This action was not prompted by Mr. Lacy's vehicle, as he was already back in his proper lane and at a safe distance.
- v. Video evidence and independent analysis confirmed that the gold pickup truck proceeded at an average speed of 28.2 mph with no evidence of emergency braking or sudden deceleration that would indicate an imminent collision with Mr. Lacy's vehicle.
- vi. Mr. Lacy continued driving southbound after the crash, unaware that his prior passing maneuver had any connection to the collision, given his distance from the impact and the lack of any indication that he had caused or been involved in an accident, let alone any indication of any injury that would result in death.

B. The Flawed and Fraudulent Investigation by LSP

- i. LSP Troop C, under the direction and supervision of Defendant Werner and Defendant Howard, initiated an investigation into the crash. However, the investigation was marred by numerous falsifications, fabrications, intentional misrepresentations, and misconduct designed to wrongfully attribute blame to Mr. Lacy.
- ii. **False Statements in Crash Report:** Defendant Werner authored a crash report that falsely claimed Mr. Lacy "abruptly slowed to a sudden stop in the northbound lane," when video evidence conclusively demonstrated he did not stop at any time.
- iii. **Misrepresentation of Vehicle Position:** Defendant Werner falsely represented in his report that Mr. Lacy "briefly returned to the southbound lane before re-entering the opposing northbound lane," despite video footage confirming he had completed

the pass and remained in the proper southbound lane approximately 92.3 yards before the point of impact.

- iv. **Fabrication of Witness Statements:** Defendant Werner falsely alleged that the gold pickup truck driver "immediately applied his brakes and swerved to the right to avoid a head-on collision," a statement directly contradicted by video evidence and testimony from the driver establishing an average speed of 28.2 mph and no evidence of emergency braking.
- v. **Witness Coaching and Coercion:** Body camera footage captured by Defendant Werner shows him coaching and coercing the gold pickup truck driver on what to include in his witness statement. Specifically, Werner instructed the witness to claim he "slammed on brakes" to avoid Mr. Lacy's vehicle, despite the witness initially and spontaneously stating: "I didn't skid"; "I wasn't going that fast"; "That lady behind me... she caused that wreck."
- vi. When the witness refused to sign a written statement incorporating Werner's coached narrative, Werner marked the statement as "refused" instead of accurately documenting that the witness declined to adopt the false version of events. Werner then turned off his body camera before completing the witness interview, concealing his continued efforts to manipulate the witness.
- vii. **Alteration of Traffic Citations:** At the crash scene, Defendant Werner issued a traffic ticket to the Cadenza driver for "following too close"—the actual cause of the crash. Defendant Howard later altered this citation to "crossing left of center" to shift blame away from the true cause and toward Mr. Lacy's alleged actions.
- viii. **Exculpatory Evidence Suppression:** Defendants Werner and Howard deliberately:
 - Failed to identify or interview a passenger in Mr. Lacy's vehicle who was clearly visible on video exiting the car after the crash and who could have provided exculpatory testimony regarding Mr. Lacy's lack of awareness of the crash
 - Ignored or omitted video of and witness statements from all involved vehicles that conclusively exonerated Mr. Lacy

- Failed to properly synchronize audio on video evidence, creating a false impression that Mr. Lacy was closer to the crash than he actually was
 - Disregarded spontaneous statements by witnesses, including the gold truck driver, that attributed fault to the Cadenza driver's following too closely
- ix. Supervisor Ratification of Misconduct: Approximately three weeks after the crash, Defendant Howard personally conducted a follow-up interview with the Cadenza driver at the hospital. During this interview, captured on body camera, Howard:
- Assured the Cadenza driver and her mother that she would not be charged with anything
 - Specifically stated: "She's not being charged with nothing, so y'all don't stress about that at all."
 - Claimed that the "following too close" citation issued by Werner at the scene was inappropriate, stating: "Don't worry about that ticket. Trooper kind of jumped the gun on that one a little bit."
 - Failed to disclose that the Cadenza driver had a documented history of tailgating violations, having been cited for following too closely in both 2015 and 2020
- x. Howard's statements demonstrate supervisory knowledge, approval, and ratification of the scheme to shift blame from the actual cause of the crash (the Cadenza driver's tailgating) to Mr. Lacy.

C. The Wrongful Arrest and Malicious Prosecution

- i. Based on this knowingly false and fabricated investigation, Defendants obtained an arrest warrant from the 17th Judicial District Court in Lafourche Parish for Mr. Lacy on charges of negligent homicide (La. R.S. 14:32), felony hit-and-run (La. R.S. 14:100), and reckless operation of a vehicle (La. R.S. 14:99).
- ii. Defendants knew or should have known that probable cause did not exist to support these charges, as the evidence in their possession—including video footage, and the initial spontaneous statements of witnesses—demonstrated that Mr. Lacy did not cause the crash and was not aware of his alleged involvement.

- iii. Mr. Lacy was arrested on January 12, 2025, booked into the Lafourche Parish Correctional Complex, subjected to public humiliation, and faced ongoing criminal prosecution that threatened his freedom, reputation, and future as a professional athlete.

D. The District Attorney's Exoneration and LSP's Continued False Narrative

- i. An independent review by the Lafourche Parish District Attorney's Office, conducted by Investigator Warren Callais and completed on April 11, 2025, uncovered the extensive inconsistencies and falsifications in Werner's crash report.
- ii. The District Attorney's investigation concluded:
 - The crash report contained "several inconsistencies"
 - The report falsely gave "the impression" that Mr. Lacy was actively passing vehicles at the time of the collision, "which is incorrect"
 - Video evidence conclusively showed Mr. Lacy was back in his proper lane 92.3 yards before the point of impact
 - Mr. Lacy was approximately 72.6 yards behind the crash when it occurred
 - Audio on LSP's video was "not synchronized correctly" and falsely made it appear Mr. Lacy was closer to the collision than he actually was
 - The evidence did not support negligent homicide charges, as Mr. Lacy's actions did not cause the crash
 - There was no evidence that Mr. Lacy knowingly fled the scene or failed to render aid, given his lack of awareness of involvement
 - "The evidence submitted in the crash report does not support that Kyren Lacy should have known that his actions were the cause of the crash that happened approximately 72 yards in front of him"
- iii. Despite this official exoneration by the prosecuting authority, LSP publicly stood by its false narrative and continued to defame Mr. Lacy. Even after Mr. Lacy's death, LSP Colonel Robert Hodges released statements asserting that "all evidence collected supports the conclusion that Lacy's reckless operation of the green Charger

in oncoming traffic triggered the chain of events involving the other drivers, ultimately resulting in the fatal crash."

- iv. This continued defamation after death demonstrates LSP's institutional commitment to the false narrative created by Defendants Werner and Howard, even in the face of contrary evidence from an independent investigation.

E. Mr. Lacy's Death by Suicide

- i. Tragically, on or about April 12, 2025—one day after the District Attorney's report cleared him—Mr. Lacy died by suicide in Houston, Texas, overwhelmed by the emotional distress, public scrutiny, reputational harm, loss of professional opportunities, and mental anguish caused by Defendants' wrongful accusations, false arrest, and malicious prosecution.
- ii. At the time of his arrest and prosecution, Mr. Lacy was a promising wide receiver for Louisiana State University with aspirations of playing in the National Football League. The false charges destroyed his athletic career, subjected him to nationwide public condemnation, and caused him to lose endorsement opportunities, draft prospects, and his reputation in the community.
- iii. The extreme emotional distress inflicted by Defendants' intentional and reckless misconduct was the direct and proximate cause of Mr. Lacy's decision to take his own life. But for Defendants' fabricated investigation, false arrest, and malicious prosecution, Mr. Lacy would be alive today.

IV. CAUSES OF ACTION

A. Wrongful Death – La. Civ. Code art. 2315.2

- i. Plaintiffs re-allege and incorporate by reference all preceding paragraphs.
- ii. Defendants' negligent, reckless, and intentional acts and omissions, including the fabricated investigation, false arrest, malicious prosecution, and continued public defamation, directly caused or contributed to Mr. Lacy's death by suicide.
- iii. The extreme and continuing emotional distress inflicted upon Mr. Lacy by Defendants' misconduct was a substantial factor in causing his death. But for

Defendants' wrongful conduct, Mr. Lacy would not have suffered the severe mental anguish, public humiliation, and loss of future opportunities that led to his suicide.

iv. Plaintiffs, as surviving parents, are entitled to recover damages for:

- Loss of love, affection, society, and companionship of their son
- Grief and mental anguish caused by his wrongful death
- Loss of support and services Mr. Lacy would have provided
- Funeral and burial expenses
- All other damages allowable under Louisiana law

B. Survival Action – La. Civ. Code art. 2315.1

- i. Plaintiffs re-allege and incorporate by reference all preceding paragraphs.
- ii. On behalf of Mr. Lacy's estate, Plaintiffs assert survival claims for the pain, suffering, emotional distress, humiliation, reputational harm, loss of earning capacity, and other damages Mr. Lacy endured between his wrongful arrest on January 12, 2025, and his death on April 12, 2025.
- iii. During this three-month period, Mr. Lacy suffered severe mental anguish knowing that he faced serious felony charges for a death he did not cause, public condemnation based on false allegations, destruction of his athletic career and professional prospects, and the knowledge that LSP officials were intentionally lying about his conduct.

C. Intentional Infliction of Emotional Distress

- i. Plaintiffs re-allege and incorporate by reference all preceding paragraphs.
- ii. Defendants Werner and Howard engaged in extreme and outrageous conduct by deliberately fabricating evidence, coaching witnesses to provide false statements, suppressing exculpatory evidence, and pursuing criminal charges they knew or should have known were unsupported by probable cause.

- iii. This conduct was specifically intended to cause severe emotional distress to Mr. Lacy, or was undertaken with reckless disregard for the near certainty that such distress would result.
- iv. The conduct was so outrageous in character and extreme in degree as to go beyond all possible bounds of decency and is utterly intolerable in a civilized society. Framing an innocent person for causing another's death represents conduct at the outer limits of human decency.
- v. As a direct result of this conduct, Mr. Lacy suffered severe emotional distress that was so severe that no reasonable person could be expected to endure it, ultimately leading to his suicide.
- vi. Plaintiffs, as surviving parents who witnessed their son's suffering and ultimate death, also suffered severe emotional distress as a direct result of Defendants' outrageous conduct.

D. False Arrest and False Imprisonment

- i. Plaintiffs re-allege and incorporate by reference all preceding paragraphs.
- ii. Defendants Werner and Howard caused Mr. Lacy to be arrested and detained without probable cause or legal justification, based on falsified evidence, fabricated witness statements, and a knowingly deficient investigation.
- iii. Defendants knew or should have known that the evidence in their possession—including video footage showing Mr. Lacy had returned to his lane 92.3 yards before the crash, showing no emergency braking by the gold truck, and spontaneous witness statements attributing fault to the Cadenza driver—did not establish probable cause for the charges sought.
- iv. Mr. Lacy was unlawfully arrested, booked, and subjected to detention, bond conditions, and ongoing restraints on his liberty without legal justification.
- v. Plaintiffs seek damages on behalf of the estate for this deprivation of Mr. Lacy's liberty, including emotional distress, humiliation, loss of reputation, and other harms suffered as a result of the unlawful detention.

E. Malicious Prosecution

- i. Plaintiffs re-allege and incorporate by reference all preceding paragraphs.
- ii. Defendants Werner and Howard initiated and caused to be continued criminal proceedings against Mr. Lacy without probable cause and with actual malice, as evidenced by:
 - The intentional fabrication of evidence in the crash report
 - The deliberate coaching and coercion of witnesses
 - The knowing suppression of exculpatory evidence
 - The alteration of traffic citations to support a false narrative
 - Knowledge that video and witness statements contradicted their theory of the case
- iii. The criminal proceedings terminated in Mr. Lacy's favor when the Lafourche Parish District Attorney's Office determined that the evidence did not support the charges and that Mr. Lacy should not have known his actions caused the crash.
- iv. As a direct and proximate result of this malicious prosecution, Mr. Lacy suffered:
 - Severe emotional distress and mental anguish
 - Destruction of his athletic career and professional prospects
 - Loss of endorsement opportunities and earning capacity
 - Public humiliation and reputational harm
 - Ultimately, death by suicide

F. Civil Rights Violations Under Louisiana Constitution

- i. Plaintiffs re-allege and incorporate by reference all preceding paragraphs.
- ii. Defendants' conduct violated Mr. Lacy's rights under the Louisiana Constitution, including but not limited to:
 - The right to liberty and due process of law – La. Const. Art. I, § 2
 - The right to be free from unreasonable searches and seizures – La. Const. Art. I, §

- The right to procedural fairness and fundamental fairness in the criminal justice system
- iii. These violations were intentional, reckless, and undertaken with deliberate indifference to Mr. Lacy's constitutional rights.

G. *Respondeat Superior* and Vicarious Liability

- i. Plaintiffs re-allege and incorporate by reference all preceding paragraphs.
- ii. Defendant LSP is vicariously liable for all tortious acts of its employees Werner and Howard under the doctrine of *respondeat superior*, as all acts were undertaken within the course and scope of their employment as law enforcement officers.

Defendant LSP is also directly liable for its negligent hiring, training, supervision, and retention of Werner and Howard, and for maintaining customs, policies, and practices that permitted or encouraged the misconduct described herein.

V. DAMAGES

Plaintiffs seek compensatory damages in an amount to be determined at trial, including but not limited to:

i. Wrongful Death Damages:

- Loss of love, affection, society, and companionship
- Mental anguish, grief, and emotional distress suffered by Plaintiffs
- Loss of support and services
- Funeral and burial expenses

ii. Survival Action Damages:

- Mr. Lacy's pre-death pain, suffering, and mental anguish
- Humiliation and emotional distress
- Loss of reputation and standing in the community
- Loss of earning capacity and future professional opportunities
- Medical and psychological treatment expenses

iii. Additional Damages:

- Punitive or exemplary damages against individual defendants to the extent allowable under Louisiana law
- Attorney's fees and costs to the extent recoverable by law
- Pre-judgment and post-judgment interest as provided by law
- All other damages proven at trial

VI. JURY DEMAND

Plaintiffs demand a trial by jury on all issues and against all defendants so triable.

VII. PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully pray that after due proceedings, there be judgment in their favor and against all Defendants, jointly, severally, and in solido, for:

1. All compensatory damages proven at trial for wrongful death, survival claims, and all other causes of action
2. Punitive or exemplary damages against individual defendants Werner and Howard
3. Pre-judgment and post-judgment interest at the maximum legal rate
4. Attorney's fees and costs of court to the extent allowable by law
5. A trial by jury on all issues so triable
6. All other relief, general and equitable, to which Plaintiffs may show themselves justly entitled

Respectfully submitted,

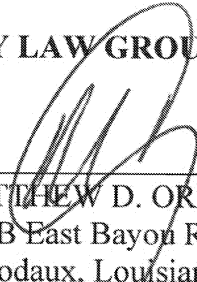
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