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**IN THE U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON
SEATTLE COURTHOUSE**

ELISABETH REHN,

Plaintiff,

v.

**CITY OF SEATTLE, a lawful
municipal corporation in the State of
Washington; RILEY CAULFIELD;
YOUNGHUN KIM; SETH WAGNER;
JOHN DUUS; AND JASON
DRUMMOND,**

Defendants.

CASE NO.

**PLAINTIFF’S COMPLAINT FOR
PERSONAL INJURIES AND
DAMAGES**

JURY DEMAND

Comes now the Plaintiff, Elisabeth Rehn, by and through her attorney, Jay H. Krulewitch, and alleges as follows:

I. JURISDICTION AND VENUE

1.1 This Court has subject matter jurisdiction of Plaintiff’s claims under 28 U.S.C. Section 1331 and 28 U.S.C. Section 1367.

1.2 Venue is proper in the Western District of Washington per 28 U.S.C. Section 1391(b) because a substantial part of the events complained of occurred in this District.

1.3 Ms. Rehn served the City of Seattle with a timely notice of claim for damages pursuant to RCW 4.96.020 on or about November 23, 2021.

1 **II. PARTIES**

2 2.1 Plaintiff Elisabeth Rehn is a married female person who, at all times material to
3 this action, resided in the City of Seattle, in King County, Washington.

4 2.2 Defendant Riley Caulfield, at all times material to this cause of action, was
5 employed as a police officer for the City of Seattle, in King County Washington, acting under
6 color of state law, and pursuant to his authority as a police officer. He is being sued in his
7 official and his individual capacity.

8 2.3 Defendant Younghun Kim, at all times material to this cause of action, was
9 employed as a police officer for the City of Seattle, in King County Washington, acting under
10 color of state law, and pursuant to his authority as a police officer. He is being sued in his
11 official and his individual capacity.

12 2.4 Defendant Seth Wagner, at all times material to this cause of action, was
13 employed as a police officer for the City of Seattle, in King County Washington, acting under
14 color of state law, and pursuant to his authority as a police officer. He is being sued in his
15 official and his individual capacity.

16 2.5 Defendant John Duus, at all times material to this cause of action, was employed
17 as a police officer for the City of Seattle, in King County Washington, acting under color of state
18 law, and pursuant to his authority as a police officer. He is being sued in his official and his
19 individual capacity.

20 2.6 Defendant Jason Drummond, at all times material to this cause of action, was
21 employed as a police officer for the City of Seattle, in King County Washington, acting under
color of state law, and pursuant to his authority as a police officer. He is being sued in his
official and his individual capacity.

1 2.7 The City of Seattle, at all times material to the cause of action, has been a
2 legitimate municipal city government or political subdivision recognized under the laws of the
3 State of Washington, acting under color of state law. The City of Seattle Police Department is an
4 agency of the City of Seattle, duly authorized to provide law enforcement services to the citizens
5 of the City of Seattle, in the State of Washington.

6 **III. FACTUAL BACKGROUND**

7 3.1 On November 22, 2020, shortly after 1:30 p.m., at Plaintiff’s apartment, located at
8 3016 1st Avenue, #404, in Seattle, King County, Washington, several Seattle Police Department
9 (“SPD”) officers, namely Defendants Riley Caufield, Younghun Kim, Seth Wagner, John Duus,
10 and Jason Drummond unreasonably and unlawfully broke down Plaintiff’s door, entered her
11 apartment, and seized her person with drawn firearms. Ms. Rehn had done nothing to justify
12 this, and the Defendants had no reasonable grounds to believe she had. They were rashly and
13 recklessly responding to an incident involving a person or persons, unknown to Ms. Rehn, who
14 lived or resided in a different apartment, in a different apartment building. Their actions put Ms.
15 Rehn in mortal fear that she was going to be assaulted or killed in this incident through no fault
16 of her own. She was about to take a bath in her own apartment at the time, had disrobed in
17 preparation for getting into her bath and barely had time to throw on a large coat to cover herself
18 before the Defendant officers who entered her apartment shouted commands at her and trained
19 one or more firearms on her. Even after they knew or should have known that they had broken
20 down the door of the wrong apartment, in the wrong building, the Defendants still continued to
21 needlessly search her apartment while Ms. Rehn trembled in fear.

 3.2 The Defendant officers did this without a warrant and without a reasonable basis
for believing that the entry into Ms. Rehn’s home was justified by an exception to the warrant

1 requirement—or that the manner in which they entered and the force they used to seize Ms.
2 Rehn’s person was justified or reasonable.

3 3.3 As a result of this incident, Ms. Rehn suffered a variety of injuries and other
4 damages including, but not limited to substantial mental and emotional distress, fear for her
5 physical well-being, invasion of privacy, loss of privacy, and other related damages.

6 **IV. FIRST CAUSE OF ACTION: UNCONSTITUTIONAL SEARCH OF
7 PLAINTIFF’S HOME IN VIOLATION OF THE FOURTH AMENDMENT**

8 4.1 Plaintiff repleads the allegations contained in paragraphs 1.1 through 3.3 of this
9 complaint, and incorporates the same by reference as if fully set forth herein.

10 4.2 The acts and omissions of Defendants described above were done under color of
11 state law, and pursuant to the policies, customs, and/or usages of the City of Seattle.

12 4.3 The above described actions of Defendants constitute an unreasonable entry into
13 and search of the home of the Plaintiff Elisabeth Rehn in violation of her constitutional rights
14 guaranteed by the Fourth Amendment to the U.S. Constitution.

15 4.4 Defendant City of Seattle is liable under 42 U.S.C. Section 1983 under *Monell v.*
16 *Dep’t of Soc. Servs.*, 436 U.S. 658, 98 S. Ct. 2018, 56 L. Ed. 2d 611 (1978) because the
17 individual officers involved received inadequate training regarding how to respond to this kind
18 of incident, i.e. a person who was undergoing severe mental distress and/or suffering from a
19 mental health and/or threatening suicide in a large apartment building.

20 4.5 As a consequence, Defendants are all liable under 42. U.S.C. Section 1983 to
21 Plaintiff Elisabeth Rehn for all damages proximately caused to her by their unconstitutional
actions, including mental anguish, emotional distress, pain and suffering, and other damages as
allowed by law.

1 **V. SECOND CAUSE OF ACTION: UNCONSTITUTIONAL SEIZURE OF**
2 **PLAINTIFF’S PERSON IN VIOLATION OF THE FOURTH**
3 **AMENDMENT**

4 5.1 Plaintiff hereby incorporates and realleges as if fully set forth herein each and
5 every allegation of paragraphs 1.1 through 4.5.

6 5.2 The acts and omissions of Defendants herein were done under color of state law
7 and the policies, customs, or usages of the City of Seattle.

8 5.3 Elisabeth Rehn had a federally-protected right, under the Fourth Amendment, not
9 to have her person seized with unreasonable force against her person.

10 5.4 The acts and omissions of defendants herein proximately caused the deprivation
11 of Ms. Rehn’s Fourth Amendment rights by seizing her person with unreasonable force.

12 5.5 Defendant City of Seattle is liable under 42 U.S.C. Section 1983 under *Monell v.*
13 *Dep’t of Soc. Servs.*, 436 U.S. 658, 98 S. Ct. 2018, 56 L. Ed. 2d 611 (1978) because its policies
14 and training regarding the use and display of firearms during the seizure of persons authorized
15 and/or foreseeably resulted in the unconstitutional use of force against the Plaintiff.

16 5.6 As a consequence, Defendants are all liable under 42. U.S.C. Section 1983 to
17 Plaintiff Elisabeth Rehn for all damages proximately caused to her by their unconstitutional
18 actions, including mental anguish, emotional distress, pain and suffering, and other damages as
19 allowed by law.

20 **VI. THIRD CAUSE NEGLIGENCE**

21 6.1 Plaintiff hereby incorporates and realleges as if fully set forth herein each and
 every allegation of paragraphs 1.1 through 5.6.

1 D) Costs;

2 E) And for such other and further relief to be proven as the time of trial and
3 as the court deems just and equitable.

4 Dated this 19th day of October, 2023.

5 Respectfully submitted,

6 JAY H. KRULEWITCH, ATTORNEY AT LAW

7 BY: s/Jay H. Krulewitch

8 Jay H. Krulewitch, WSBA #17612

9 Attorney for Plaintiff Elisabeth Rehn