

**UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

**LATONYA EASON, INDIVIDUALLY AND
ON BEHALF OF HER MINOR SON, Q.E.**

PLAINTIFF

v.

Civil Action No.: 3:24-CV-049-MPM-JMV

**CITY OF SENATOBIA, RICHARD
CHANDLER, IN HIS OFFICIAL AND INDIVIDUAL
CAPACITIES AS CHIEF OF THE SENATOBIA POLICE
DEPARTMENT, ZACHARY JENKINS,
IN HIS INDIVIDUAL AND OFFICIAL CAPACITIES
AS A FORMER OFFICER OF THE SENATOBIA
POLICE DEPARTMENT, and JOHN DOES 1-4 IN
THEIR INDIVIDUAL AND OFFICIAL CAPACITIES AS
EMPLOYEES OF THE SENATOBIA POLICE
DEPARTMENT**

DEFENDANTS

COMPLAINT
(Jury Trial Demanded)

COMES NOW, Plaintiff Latonya Eason, Individually and on Behalf of her minor son, Q.E., by and through her undersigned attorney, and brings this *Complaint*, alleging the following causes of action against Defendants, and shows this honorable court to wit:

PARTIES

1. At all times material hereto, Defendant City of Senatobia (“The City”) is a municipality, duly incorporated under the laws of the State of Mississippi and as such is a political subdivision of the State of Mississippi and, among its other functions, operates and maintains a law enforcement agency known as the Senatobia Police Department. The City of Senatobia is under a duty to operate its policing activities lawfully to preserve

the peace of the City of Senatobia and the rights, privileges, and immunities guaranteed and secured to them by the Constitution and the laws of the United States and/or the State of Mississippi. Such municipality is subject to suit pursuant to 42 U.S.C. § 1981. The City of Senatobia may be served with this Complaint by serving the City Clerk, Katie Harbin, at the Senatobia Municipal Building, 133 N. Front St., P.O. Box 1020, Senatobia, MS 38668.

2. Defendant Richard Chandler is an adult resident citizen of Tate County, The City of Senatobia, Mississippi, and can be served at his place of employment at 114 North Center Street, Senatobia, MS 38668. Defendant Richard Chandler is responsible for the day-to-day operation of the Senatobia Police Department and was the final policymaker with respect to law enforcement operations for the City of Senatobia relevant to this action. Defendant Chandler was under a duty to operate the policing activities of the Senatobia Police Department to preserve not only the peace of the City of Senatobia but also to protect its citizens and to preserve their rights, privileges, and immunities guaranteed and secured to them by the Constitution and the laws of the United States and/or the State of Mississippi. The Plaintiff are bringing this cause of action against Defendant Chandler in his official capacity as Chief of the Senatobia Police Department, as well as his individual capacity for ordering the arrest of the minor plaintiff.
3. Defendant Zachary Jenkins is an adult resident citizen of Tate County, Mississippi and can be served with process at his residence, 4257 Old Memphis Oxford Road, Coldwater, MS 38618-3222. Defendant Jenkins, as a former police officer of the City of Senatobia, was acting under the color of state law and within the scope of his employment with the Senatobia Police Department. Plaintiff are bringing this action against Defendant Jenkins in

both his individual and official capacity as a former officer of the Senatobia Police Department.

4. Defendants John Does 1-4 are unidentified officers or employees of the city of Senatobia, were acting under the color of state law and within the scope of their employment with the Senatobia Police Department. Plaintiff is bringing this action against John Does 1-4 in both their individual and official capacity as officers or employees of the Senatobia police Department. Defendant John Does 1-4 may be served at their place of employment at 114 North Center Street, Senatobia, Mississippi 38668.
5. Plaintiff Latonya Eason, individually and on behalf of her minor son, Q.E. is an adult resident citizen of Senatobia, Mississippi.

JURISDICTION AND VENUE

6. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 and 1343 because the controversy arises under the U.S. Constitution and 42 U.S.C. § 1983. This Court has authority to award attorney's fees pursuant to 42 U.S.C. § 1988.
7. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b)(2) because the events giving rise to this complaint happened in this district.

STATEMENT OF FACTS

8. On August 10th, 2023, Latonya Eason, ("Plaintiff Latonya") proceeded into an office building on a personal errand. Initially, the visit was only supposed to last for a short amount of time.
9. During that time, Plaintiff Q.E., a minor, ten years of age, African American male, indicated to his sister that he needed to use the restroom.
10. His sister then pointed to a sign hung on the Office Door that indicated there were no public restrooms available inside the office.

11. While the adult Plaintiff was finishing up inside the building, Plaintiff Q.E., indicated that he could not wait to go to another place to use the bathroom, and must go immediately. Without his mother's permission, he decided to discreetly relieve himself by opening his mother's car door and using the restroom behind the door, so as to not expose himself.
12. A Senatobia Police Officer saw Plaintiff Q.E., a minor, relieve himself and decided to notify his mother and initially give Plaintiff Latonya a verbal reprimand and sent them on their way. Plaintiff Latonya also gave Plaintiff Q.E., a minor, a verbal reprimand for his actions, as any parent does to their child.
13. Subsequently, Defendant Jenkins, a Caucasian adult male, arrived on the scene accompanied by four other Senatobia police department officers. Defendant Jenkins informed Plaintiff Latonya that Plaintiff Q.E., a minor, must go to jail for his action of urinating behind Plaintiff Latonya's car door.
14. Defendant Jenkins arrested Plaintiff Q.E., a ten-year-old minor, and put him into a Police cruiser. The City of Senatobia subsequently held Q.E., a minor, in a confined jail cell for 45 minutes to one hour. Q.E., a minor, was then charged in Tate County Youth Court for being a "child in need of services". Q.E., a minor, was subsequently released back into the care of his mother, Plaintiff Latonya, after going through this process.
15. Because of Defendants' overall negligence, Plaintiff Latonya and Q.E., a minor, suffer embarrassment, harassment, PTSD, shock, and other physical, emotional, and traumatizing injuries to their persons

COUNT I

**42 U.S.C. § 1983 – Excessive Force in violation of the Fourth Amendment (As to Defendants
Chandler, Jenkins and Defendants John Does 1-4)**

16. Plaintiff hereby incorporates by reference all other paragraphs of this Complaint as if fully set forth herein.

17. 42 U.S.C. § 1983 provides that:

“Every person, who under color of any statute, ordinance, regulation, custom or usage of any state or territory or the District of Columbia subjects or causes to be subjected any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges or immunities secured by the constitution and law shall be liable to the party injured in an action at law, suit in equity, or other appropriate proceeding for redress . . .”

18. Defendant Jenkins and Does 1-4 deprived Plaintiff Q.E., a minor of clearly established rights secured to him under the United States Constitution – specifically the Fourth Amendment right to be free from the use of excessive force against one’s person.

19. Defendant Jenkin’s excessive use of force is forcing a minor child only ten years of age to be held and arrested in a confined jail cell like a regular criminal causing Plaintiff Latonya and Q.E., a minor, to suffer immense damages.

20. Any reasonable police officer in the position of Defendant Jenkins’ and John Does 1-4 would have known that the force being used against Q.E. was unconstitutional.

21. Any reasonable police officer in the position of Defendant Jenkin’s would have known that they had a duty to take reasonable measures to prevent harm to Plaintiff Latonya and Q.E., a minor.

22. Defendant Jenkin’s conduct resulted in a physical and psychological injury to Plaintiff Latonya and Q.E., a minor.

COUNT II

Mississippi State Law Claims for Negligence (As to Defendant Jenkins and Defendants John Does 1-4)

23. Plaintiff realleges and incorporates every preceding paragraph as if fully set forth herein.

24. Defendant Jenkins and Defendants John Does 1-4 owed a duty to Plaintiff as an officer of law as Q.E., a minor, is a vulnerable party that has the mental state of a ten-year-old minor who cannot fully understand the consequences of his actions.

25. Defendant Jenkins and Defendants Does 1-4 breached that duty by causing Q.E. immense harm and deciding to arrest the ten-year-old minor Plaintiff and hold and charge him as a criminal.

26. Because of this, Plaintiff suffer severe damages and injuries.

COUNT III

State Law Claim for Negligent and Intentional Infliction of Emotional Distress / Bystander's Claim (As to Defendants Chandler, Jenkins, and Defendants John Does 1-4)

26. Plaintiff realleges and incorporates each and every preceding paragraph as if fully set forth herein.

27. Defendant Chandler, Jenkins, and Defendants John Does 1- 4 willful, wanton, and intentional acts of recklessness caused Plaintiff Latonya and Q.E., a minor, to suffer emotional distress.

28. This traumatic incident has caused Plaintiff Latonya and Q.E., a minor, to suffer severe emotional distress, such as anxiety, depression, and panic attacks.

COUNT IV

42 U.S.C. § 1983 – Failure to Train and Supervise (as to Defendant Richard Chandler and Defendant City of Senatobia)

29. Plaintiff reallege and incorporate every preceding paragraph as if fully set forth herein.

30. Defendant Richard Chandler and Defendant City of Senatobia Negligently trained, retained, hired, and supervised Defendant Jenkins and Defendant Does 1-4.

31. At all times relevant to this action, Defendant Richard Chandler had policymaking authority and otherwise controlled the training and supervisory practices of Defendant Jenkins and Does 1-4. Defendant Chandler and Defendant City had the authority to hire, fire, and discipline employees of the Senatobia Police Department.
32. Upon information and belief, the Plaintiff will show that due to the disciplinary history of Defendant Jenkins, Defendant Chandler and Defendant City of Senatobia knew that Defendant Jenkins often did not follow protocol, if any, when working in the scope of his employment.
33. Yet, despite the constant disciplinary hearings and reprimands spreading over a course of more than a decade, Defendant Jenkins was allowed decision-making authority as a lieutenant.
34. Defendant Chandler and Defendant City of Senatobia knew or should have known that Defendant Jenkins needed supervision or further training, yet, both Defendant Chandler and Defendant City of Senatobia negligently failed to approve such further training.
35. As a direct and proximate result of the aforementioned Defendants' negligence, Plaintiff Latonya and Q.E., sustained the damages set forth herein and all damages that will be proved at trial hereon.

COUNT V

Mississippi State Law Claims for False Arrest and Imprisonment (as to Defendants Chandler, Jenkins and Defendants John Does 1-4)

36. Plaintiff re-alleges and incorporates each and every preceding paragraph as if fully set forth herein.
37. Defendant Jenkins and Defendants John Does 1-4 used force and a show of authority to restrain and imprison Plaintiff Q.E., a minor.

38. Q.E., a minor, was not free to leave due to the intentional restriction of Defendant Jenkins and / or Does 1-4.
39. Because of this, Q.E., a minor, suffers damages.

COUNT VI

Respondeat Superior (as to Defendant City)

40. Plaintiff re-allege and incorporate every preceding paragraph as if fully set forth herein.
41. Defendant Jenkins and Does 1-4 were in the course and scope of their employment of Defendant City, at all relevant times immediately subsequent to and preceding the incident in question, and therefore, Defendant City is liable for the negligence of its employee Defendant Jenkins.

COUNT VII

Violation of 14th Amendment Rights under 28 U.S.C. § 1343 (as to all Defendants)

42. Plaintiff incorporates and re-alleges each and every preceding paragraph as if fully set forth herein.
43. Plaintiff would show unto this Honorable Court that the Defendants, with reckless disregard for Plaintiff Q.E.'s, a minor, rights, took action to deprive Plaintiff Q.E., a minor, of his 14th Amendment rights.
44. As a result, Plaintiff suffered damages because of the aforementioned conduct as set heretofore and/or hereinafter that resulted in Plaintiff's injuries.

COUNT VIII

Malicious Prosecution (as to all Defendants)

45. Plaintiff incorporates and re-alleges each and every preceding paragraph as if fully set forth herein.

46. Plaintiff would show unto this Honorable Court that Defendants maliciously prosecuted a ten-year-old minor child and made him a Tate County Youth Court Offender. Q.E. was prosecuted in Tate County Youth Court, but the Youth Court dismissed the case in favor of Q.E.

47. Defendants caused juvenile charges to be filed against Plaintiff Q.E., a minor, when the Defendants knew or should have known that these charges were filed because of personal animosity, bias, and lack of reason outside the interests of justice.

48. Because of this, Q.E., a minor, cannot enjoy life as a normal child. Q.E., a minor, is treated as an adult criminal. Instead of enjoying activities a child would enjoy, his youth is tainted by malicious prosecution. Q.E., a minor, suffers and continues to suffer damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff pray that the Court grant them relief as follows:

- a. Enter a declaratory judgment finding that the actions of the Defendants as alleged in this Complaint violated 42 U.S.C. § 1983.
- b. Award compensatory damages in the amount of \$2,000,000 for Plaintiff or other amounts that would fully compensate Plaintiff for their damages, including but not limited to their physical injuries, emotional distress, and mental anguish caused by Defendants' violations of the law, as alleged in this Complaint;
- c. Award punitive damages to Plaintiff in an amount sufficient to punish Defendants for the intentional, malicious, callous, bad faith, willful, wanton, negligent and reckless misconduct alleged in this Complaint and that would effectively deter Defendants from future discriminatory behavior;
- d. Award Plaintiff their attorneys' fees and costs; and
- e. Order such other and further relief as the Court deems and equitable.

RESPECTFULLY SUBMITTED, THIS the 21st day of February 2024.

**LATONYA EASON, INDIVIDUALLY AND ON
BEHALF OF HER MINOR SON, Q.E, Plaintiff**

By: /s/Carlos E Moore
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