

MEDIA RELEASE

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Attorneys File Federal Court Motion Seeking Order to Block Officers from Using Unlawful Force on Peaceful Protestors

Columbus, OH – Today, counsel who previously filed a [lawsuit on behalf of 26 people attacked by police](#) officers during peaceful protests in May and June of this year submitted a [letter](#) to City Attorney's Office, requesting confirmation that they will not inflict unnecessary force upon protestors in future protests and rallies. The letter was in follow up to a [motion for preliminary injunction](#) filed on December 7, 2020 related to the same lawsuit.

The motion for injunction was filed before Judge Marbley in the United States District Court, Southern District of Ohio. An injunction is essentially a court order requiring a person to do or cease doing a specific action. Here, the 26 plaintiffs are asking Judge Marbley for an order requiring the City of Columbus and the Columbus Police Department ("CPD") to do and cease doing a number of specific actions as it relates to peaceful protests. Among other things, the preliminary injunction asks Judge Marbley to issue orders that:

1. Force (lethal or non-lethal) should NOT be used on nonviolent protesters to enforce dispersal orders or traffic laws.
2. Enforcement should be done through citations or arrests based on probable cause.
3. Pain should NOT be inflicted to punish or deter a nonviolent protestor and should be inflicted only when necessary to prevent crimes involving physical harm or property destruction and/or when arresting and individual based on PROBABLE CAUSE.
4. All body and vehicle cameras should be in good working order and used during every interaction, while badge numbers and/or identity cards should be prominently displayed even when officers are wearing riot gear.
5. Recording by observers and medical assistants should be permitted and not hampered or impeded by law enforcement.

The letter follows the [tragic death of Casey C. Goodson, Jr](#) who was killed by a law enforcement officer under suspicious circumstances on December 4, 2020. The lawsuit alleges that our 26 clients were injured due to unlawful force while peacefully protesting in Columbus during May and June of this year. We understand that social media is filled with encouragement for public protests about Casey's death. Our concern is that, given the current landscape, protestors could face a similar treatment to what was encountered in May and June when they were, we allege,

subjected to excessive and retaliatory force by law enforcement officers. Beyond that, we believe that some nonviolent protestors are deterred by the threat of such force from participating.

It is anticipated that protests and rallies in support of Casey Goodson will take place in the upcoming days, with large crowds possibly in attendance. Accordingly, we ask that, for purposes of protests triggered by Casey's death, the City and Columbus Division of Police (CDP) agree to abide by the conditions sought in the preliminary injunction motion.

Past efforts to convince the City and CDP to agree to similar conditions have been unsuccessful. From our perspective the policies the City and CDP currently have in place about the proper use of non-lethal force were largely ignored in practice, and officers exercised discretion to inflict pain and use excessive and retaliatory force.

One of the attorneys for the Plaintiffs, Chanda Brown, notes: "When we first filed this lawsuit, we said that we'd be using it as a tool to effect real change in how the police interact with its citizens. The City has had the opportunity to make the changes, and what was done was not enough. With the tragic death of Casey Goodson, our City is yet again hurting. We want to do everything we can to ensure that any protests or rallies done in Casey's honor are met with lawful policing. While we cannot expect Judge Marbley to issue his ruling before protests begin, it is reasonable for us to expect that the City of Columbus would do the right thing and agree to our terms. The burden is on the City to show us that it can do the right thing."

In our letter to the City Attorney's office, we urged them to let us know by Friday at 11:00 a.m. whether the City and CDP will now abide by these conditions.