

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

CARLISHIA HOOD)	
)	
Plaintiff,)	
)	
v.)	No. 2023 L
)	
CITY OF CHICAGO and CHICAGO POLICE)	
OFFICERS ANDREW KEMPS, Star #20655,)	
CHARLES ARTZ, Star #224, #1907, #19783)	
MICHAEL BOCCASSINI, Star # 19552,)	
ROGELIO BORJAS, Star # 7430 and)	
ROBERT CAULFIELD, Star #11321)	
Defendants.)	

COMPLAINT

NOW COMES the Plaintiff, CARLISHIA HOOD, by and through her attorneys, BRANDON BROWN, THE BROWN LAW LTD. AND ARI WILLIAMS, ARI WILLIAMS LLC, and complaining of the defendants, CITY OF CHICAGO and CHICAGO POLICE OFFICERS ANDREW KEMPS, Star #20655, CHARLES ARTZ, Star #224, #1907, #19783, MICHAEL BOCCASSINI, Star # 19552, ROGELIO BORJAS, Star # 7430 and ROBERT CAULFIELD, Star #11321, states as follows:

INTRODUCTION

1. This action is brought pursuant to the laws of the State of Illinois against the defendants for their willful and wanton actions causing the false arrest and malicious prosecution of Carlishia Hood and depriving her of her right to liberty.

JURISDICTION AND VENUE

2. Venue is proper pursuant to 735 ILCS 5/2-101 as most, if not all, of the conduct at issue occurred in Cook County, Illinois.

3. An actual case or controversy has arisen between the parties.

4. Carlishia Hood has been injured by Defendants' conduct and has suffered damages resulting therefrom.

PARTIES

5. Plaintiff CARLISHIA HOOD is a citizen of the United States of America, who, at all times relevant, resided in Cook County, Illinois.

6. Defendants ANDREW KEMPS, Star #20655, CHARLES ARTZ, Star #224, #1907, #19783, MICHAEL BOCCASSINI, Star # 19552, ROGELIO BORJAS, Star # 7430, ROBERT CAULFIELD, Star #11321 ("Defendant Officers") were, at all relevant times, duly licensed Chicago Police Officers. They engaged in the conduct complained of in the course and scope of their employment and under color of law. They are sued in their individual capacities.

7. Defendant CITY OF CHICAGO ("City") is a municipal corporation duly incorporated under the laws of the State of Illinois, and is the employer and principal of Defendant Officers.

FACTS

8. On June 18, 2023, Carlishia Hood was brutally attacked, without provocation, by Jerome Brown at the Maxwell Street Polish restaurant located at or around 11656 S. Halsted Street, Chicago, Illinois.

9. Jerome Brown, at the time of the attack, was a convicted felon, with an outstanding order of protection pending against him.

10. Jerome Brown, at the time of the attack, a convicted felon, was the subject of a pending criminal prosecution for Aggravated Unlawful Use of a Weapon by a Felon.

11. Jerome Brown, at the time of the attack, had multiple arrests for Domestic Battery against women, Battery and also a conviction for aggravated robbery.

12. The attack of Carlishia Hood was captured on video surveillance.
13. At the time of the attack, Carlishia Hood was patronizing the Maxwell Street Polish restaurant in order to make a carryout food purchase.
14. While standing in line at the Maxwell Street Polish restaurant, Carlishia Hood was verbally assaulted by another patron Jerome Brown.
15. At no point did Carlishia Hood ever provoke, instigate or engage Jerome Brown in a threatening or criminal manner.
16. Subsequent to the verbal assault and threats made by Jerome Brown, Mr. Brown escalated the verbal assault into a full-blown physical attack of Carlishia Hood.
17. At the time that Carlishia Hood was attacked, she was not armed and she was wearing a full-length evening gown.
18. Jerome Brown attacked Carlishia Hood with, inter alia, several closed fist brutal punches to her skull, causing bruising and disfigurement amongst other things.
19. Subsequent to the attack of Carlishia Hood, juvenile minor, shot the attacker in a clear and obvious act of defense of an unarmed woman being brutally attacked.
20. At no point in time prior to the attack did Carlishia Hood commit a crime or engage in any act that could be deemed as criminal or unlawful.
21. At no point in time subsequent to the attack did Carlishia Hood commit a crime or engage in any act that could be deemed as criminal or unlawful.
22. Jerome Brown would later succumb to the injuries sustained as a result of the gunshot wounds.

23. On June 21, 2023, Carlishia Hood, at the direction of Officer Andrew Kemp, was arrested by, among other officers, Officers Michael Boccassini and Rogelio Borjas from the Chicago Police Department and charged with First Degree Murder.

24. Prior to June 21, 2023, Defendant Officers reviewed the security footage from the shooting for its evidentiary value.

25. Prior to June 21, 2023, Defendant Officers knew that Carlishia Hood did not commit any crimes at all.

26. Prior to June 21, 2023, Defendant Officers knew that Carlishia Hood did not commit First Degree Murder.

27. On or about June 21, 2023, at or around 1:09 pm, Defendant Officers caused Carlishia Hood to be taken into custody under false and frivolous charges of First-Degree-Murder and Contributing to the Delinquency of a Minor.

28. Carlishia Hood was in police custody overnight before Officer Andrew Kemp signed and filed the felony complaint for First Degree Murder against her.

29. During that time, Defendant Officers had multiple opportunities to review the video surveillance and ascertain the lack of criminality on the behalf of Carlishia Hood.

30. Defendant Officers knew that Carlishia Hood was a victim of a criminal unlawful brutal attack at the hands of Jerome Brown.

31. Accordingly, there was no legal or legitimate basis to believe that Carlishia Hood committed an act of First-Degree-Murder or any crime at all.

32. In fact, the surveillance videos completely exculpated Carlishia Hood.

33. Nonetheless, the Defendant Officers caused Carlishia Hood to be charged with one count of First-Degree Murder and one count of Contributing to the Delinquency of a Minor.

34. Due to the seriousness of the charges, Carlishia was held on a three-million-dollar bail for six days, while awaiting trial.

35. Carlishia Hood has consistently maintained her innocence.

36. On June 26, 2023, the Cook County State's Attorney's Office dismissed all charges against Carlishia Hood and the juvenile subject, in a manner consistent with her and the juvenile's innocence.

37. As a result of the Defendants' misconduct, the Plaintiff was harmed.

COUNT I: MALICIOUS PROSECUTION (State Law Claim)

Against Defendant Officers

38. Plaintiff incorporates each of the foregoing paragraphs as though fully set forth herein.

39. By the actions detailed above, DEFENDANT OFFICERS knowingly sought to and did in fact maliciously prosecute Carlishia Hood on false charges for which they knew there was no probable cause.

40. DEFENDANT CITY OF CHICAGO is sued in this Count pursuant to the doctrine of *respondeat superior*, in that DEFENDANT OFFICERS performed the actions complained of while on duty and/or in the employ of the DEFENDANT, CITY OF CHICAGO, and while acting within the scope of this employment.

41. As a direct and proximate result of the malicious prosecution, Carlishia Hood was damaged, including the value of her lost liberty, exposure to public scandal and disgrace, damage to her reputation, mental and emotional suffering, humiliation, embarrassment, and anguish.

WHEREFORE the Plaintiff, CARLISHIA HOOD, demands judgment against the defendants, CITY OF CHICAGO and CHICAGO POLICE OFFICERS ANDREW KEMPS, Star

#20655, CHARLES ARTZ, Star #224, #1907, #19783, MICHAEL BOCCASSINI, Star # 19552, ROGELIO BORJAS, Star # 7430, ROBERT CAULFIELD, Star #11321, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), such additional amounts as the Jury and this Honorable Court shall deem proper, costs of said suit, disbursement, attorney's fees, interests, and any other relief this Honorable Court deems equitable and just.

COUNT II: FALSE ARREST (State Law Claim)

Against Defendant Officers

42. Plaintiff incorporates paragraphs 1-37 as though fully set forth herein.

43. As described above, the Defendant Officers arrested and/or imprisoned the Plaintiff, or caused the Plaintiff to be arrested and/or imprisoned, without a warrant, without probable cause and without legal justification. Due to the arrest, the Plaintiff had her liberty to move about restrained by the Defendant Officers.

44. The misconduct was undertaken by the Defendant Officers under color of law, under the course and scope of their employment as police officers for Defendant City of Chicago, was objectively unreasonable, with malice, and was undertaken intentionally and was willful and wanton.

45. Defendant City is sued herein pursuant to respondeat superior.

46. As a direct and proximate result of the false arrest, Carlishia Hood was damaged, including the value of her lost liberty, exposure to public scandal and disgrace, damage to her reputation, mental and emotional suffering, humiliation, embarrassment, and anguish.

WHEREFORE the Plaintiff, CARLISHIA HOOD, demands judgment against the defendants, CITY OF CHICAGO and CHICAGO POLICE OFFICERS ANDREW KEMPS, Star #20655, CHARLES ARTZ, Star #224, #1907, #19783, MICHAEL BOCCASSINI, Star # 19552, ROGELIO BORJAS, Star # 7430, ROBERT CAULFIELD, Star #11321, in an amount in excess

of FIFTY THOUSAND DOLLARS (\$50,000.00), such additional amounts as the Jury and this Honorable Court shall deem proper, costs of said suit, disbursement, attorney's fees, interests, and any other relief this Honorable Court deems equitable and just.

COUNT III: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

Against Defendant Officers

47. Plaintiff incorporates paragraphs 1-37 as though fully set forth herein.

48. The above-detailed conduct by DEFENDANT OFFICERS was extreme and outrageous, exceeding all bounds of human decency.

49. DEFENDANT OFFICERS performed the acts detailed above with the intent of inflicting severe emotional distress or with knowledge of the high probability that the conduct would cause such distress.

50. DEFENDANT CITY OF CHICAGO is sued in this to the doctrine of *respondeat superior*, in that DEFENDANT OFFICERS performed the actions complained of while on duty and/or in the employ of DEFENDANT CITY OF CHICAGO, and while acting within the scope of their respective employment.

51. As a direct and proximate result of this conduct, Plaintiff did, in fact, suffer severe emotional distress, resulting in injury to her mind, body, and nervous system, including loss of sleep, mental anguish, and excruciating physical pain and emotional suffering.

WHEREFORE the Plaintiff, CARLISHIA HOOD, demands judgment against the defendants, CITY OF CHICAGO and CHICAGO POLICE OFFICERS ANDREW KEMPS, Star #20655, CHARLES ARTZ, Star #224, #1907, #19783, MICHAEL BOCCASSINI, Star # 19552, ROGELIO BORJAS, Star # 7430, ROBERT CAULFIELD, Star #11321, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), such additional amounts as the Jury and this

Honorable Court shall deem proper, costs of said suit, disbursement, attorney's fees, interests, and any other relief this Honorable Court deems equitable and just.

COUNT IV: 745 ILCS 10/9-102 – INDEMNIFICATION

Against Defendant City of Chicago

52. Plaintiff realleges each of the foregoing paragraphs as though fully set forth herein.

53. Defendant City of Chicago is the employer of the Defendant Officers.

54. Defendant Officers committed the acts alleged above under color of law and in the scope of their employment with the City of Chicago.

WHEREFORE the Plaintiff, CARLISHIA HOOD, demands that, should Defendant Officers be found liable on one or more of the claims set forth above, pursuant to 745 ILCS 10/9-102, the Defendant CITY OF CHICAGO be found liable for any judgment Plaintiff obtains, as well as attorneys' fees and costs awarded.

PLAINTIFF DEMANDS A TRIAL BY JURY.

Respectfully Submitted,
CARLISHIA HOOD

/s/Ari Williams

By: /s/ Brandon Brown

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