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MISSOURI CIRCUIT COURT
22ND JUDICIAL CIRCUIT
CITY OF ST. LOUIS

JANIS MENSAH Plaintiff, v. JENNIFER CLEMONS-ABDULLAH, Serve: City Counselor's Office City of St. Louis 1200 Market St. #314 Saint Louis, MO 63103 ANN FLINT Serve: City Counselor's Office City of St. Louis 1200 Market St. #314 Saint Louis, MO 63103 BRIAN GONZALES, Serve: St. Louis Metropolitan Police Dept 1915 Olive St. Saint Louis, MO 63103 IAN CSAPO Serve: St. Louis Metropolitan Police Dept 1915 Olive St. Saint Louis, MO 63103 CITY OF ST. LOUIS, MISSOURI Serve: City Counselor's Office City of St. Louis 1200 Market St. #314 Saint Louis, MO 63103 Defendants.	)	Cause No.

PETITION

1. On August 31, 2023, Plaintiff Janis Mensah, the Vice Chairperson of the Detention Facilities Oversight Board, went to the lobby of the St. Louis City Justice Center with

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a request to do the oversight that was a part of their duties under St. Louis City Ordinance. Instead of either granting access or denying the visit, St. Louis Commissioner of Corrections Jennifer Clemons-Abdullah set Janis Mensah up to be arrested. The Commissioner, who was angry about Janis's criticisms of the Commissioner's tenure at the jail, called the police and instructed other CJC staff to misrepresent facts to have Janis arrested by the St. Louis Metropolitan Police Department. Responding officers Brian Gonzales and Ian Csapo assaulted and unconstitutionally arrested Mensah while Commissioner Clemons-Abdullah watched. Rather than apologize, the City of St. Louis spent multiple years attempting to prosecute Janis, which was ultimately unsuccessful. Plaintiff Janis Mensah now brings this civil action seeking money damages for the violations of their rights under the United States Constitution and the laws of the State of Missouri.

JURISDICTION, VENUE, AND JURY DEMAND

2. The exercise of jurisdiction is proper, as the Defendants are all Missouri citizens or entities, and the acts alleged all occurred within the State of Missouri.

3. This Court has concurrent jurisdiction with federal district courts over Plaintiff's federal civil rights claims. *Felder v. Casey,* 487 U.S. 131, 139 (1988).

4. This action is brought within the applicable statute of limitations.

5. Venue is proper in the Circuit Court of the City of St. Louis because the wrongful acts resulting in injury to Janis Mensah occurred within the City of St. Louis.

6. Plaintiff demands a trial by jury.

PARTIES

7. Defendant City of St. Louis (the City) is a political subdivision of the State of Missouri, duly organized under the Constitution of Missouri.

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8. At all times referred to herein, Defendant Jennifer Clemons-Abdullah was the City's Commissioner of Corrections. All of Commissioner Clemons-Abdullah's actions set forth in this complaint were performed under color of law. Commissioner Clemons-Abdullah is sued in her individual capacity.

9. At all times referred to herein, Defendant Ann Flint was a sworn officer of the City of St. Louis, working at the City Justice Center. At the time, Captain Flint was a Captain. All of Captain Flint's actions set forth in this complaint were performed under color of law. Captain Flint is sued in her individual capacity.

10. At all times referred to herein, Defendant Brian Gonzales was a sworn officer of the St. Louis Metropolitan Police Department (SLMPD). All of Officer Gonzales's actions set forth in this complaint were performed under color of law. Officer Gonzales is sued in his individual capacity.

11. At all times referred to herein, Defendant Ian Csapo was a sworn officer of SLMPD. All of Officer Csapo's actions set forth in this complaint were performed under color of law. Officer Csapo is sued in his individual capacity.

12. At all times referred to herein, Plaintiff Janis Mensah (they/them pronouns)[1] was a citizen of the United States and a resident of the City. On August 31, 2023, they were Vice Chairperson of the City's Detention Facility Oversight Board (DFOB).

FACTS COMMON TO ALL ALLEGATIONS

Background

13. In January 2021, highly public protests by individuals detained in St. Louis's City Justice Center (CJC) occurred.

[1] For clarity, where this Complaint quotes other individual's statements, pronouns are changed in brackets to reflect Janis's preferred pronouns.

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14. Detainees raised issues of being maced regularly, held in 23-hour lockdowns, denied access to water, given inadequate medical treatment, and denied access to legal counsel, among other instances of neglect and mistreatment related to the safe handling of the Covid-19 Pandemic within the jail.

15. In April 2021, Tishaura Jones was elected Mayor of St. Louis.

16. Almost immediately after her election, the former Commissioner of the City Jails resigned under pressure from Mayor Jones's administration, with Mayor Jones stating that she found the conditions in the jails unacceptable and wanted to "raise the bar on effective management and oversight of the City Justice Center[.]" Jim Salter, *Embattled St. Louis corrections commissioner stepping down*, Associated Press (May 12, 2021), https://apnews.com/article/b93907659525f59414f0872b2b3a13ff, last visited April 5, 2024.

17. Mayor Jones championed efforts to add civilian oversight of the facility as part of her promise to improve conditions in the jails.

18. On January 20, 2022, the Board of Alderman passed, and Mayor Jones signed, City Ordinance 71430, establishing the DFOB.

19. Ordinance 71430 described the DFOB as

> an advisory body to the Mayor, Commissioner of Corrections and the Director of Public Safety with regard to detention facility operations, conditions of detention, and Division of Corrections policies, that is authorized to receive and investigate complaints of alleged Corrections Misconduct and Detention Incidents and make findings and recommendations based thereon[.]

20. Ordinance 71430 (DFOB Ordinance I) established requirements for the Commissioner of Corrections to allow members of the DFOB information about the facility, inmates, and incidents, including the following provisions:

> The Commissioner shall promptly provide or secure access for the DFOB to information it has requested related to its mission, duties and official activities to

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> the extent permitted by federal and Missouri state statutes, the City's Civil Service Rules and Regulations, and City ordinance, and the written policies and regulations established by the authority of the Director of Personnel and Civil Service Division. . . . If the Commissioner is unable to promptly provide or is prohibited from providing the DFOB with requested information the Commissioner upon gaining knowledge of such inability or prohibition shall notify the DFOB in writing of the reasons therefor and when or if the DFOB may obtain or access the requested information. Information that may be requested by the DFOB shall include, but shall not be limited to the following: 1) Complaints of Corrections Misconduct and Detention Incidents and related records and information. . . . 9) Records and information related to allegations of Corrections Misconduct, and Detention Incidents occurring prior [to] the effective date of this Ordinance.

Ordinance 71430, Section 5.B.

21. DFOB Ordinance I also set out requirements for the Commissioner to allow access to the facility: "The DFOB shall be provided access to City detention facilities at any time upon notice to the Commissioner and without conditions or requirements as to the timing or form of such notice." Ordinance 71430, Section 5.C.

22. DFOB Ordinance I puts the burden on the Commissioner to affirmatively send written notice to DFOB members if there is a reason a DFOB member cannot enter or access the detention facility:

> Where then present circumstances at a detention facility would temporarily preclude DFOB access to the detention facility, or where the DFOB is denied or prohibited from accessing a detention facility where detainees are housed for the City, the Commissioner shall upon gaining knowledge of such circumstances or prohibitions send written notice thereof to the DFOB with the reasons why the DFOB is temporarily precluded or prohibited from accessing the detention facility and when or if the DFOB may access the detention facility.

Ordinance 71430, Section 5.C.

23. The St. Louis Board of Alderman amended the Municipal Code with Ordinance 71647 (DFOB Ordinance II) in February 2023, with the goal to "Provide[] coordination and staff support for the Detention Facility Oversight Board (DFOB) created under Ordinance Number 71430[.]"

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24. DFOB Ordinance II again states that DFOB members shall have access to information needed to conduct oversight:

> Access to Information. Except as prohibited by this Ordinance or by federal or state law and subject to the provisions and proscriptions of Ordinance Number 71430, the COB [Civilian Oversight Board] & DFOB shall have access to any and all information related to their mission, duties and official activities, and the Civilian Oversight Commissioner, with the full cooperation of the Commissioners of Police and Corrections, shall provide the COB and DFOB reasonable access, or shall assist them in obtaining reasonable access, to information including but not limited to the following:
> 1. Records of all Complaints, Police Incidents, Police Professional Misconduct, Detention Incidents and Corrections Professional Misconduct.
> . . .
> 8. Access to detention facilities as may be reasonable in light of the then current circumstances, conditions and operations.
> 9. Access to examine physical evidence, in consultation with the Division of Civilian Oversight, Division of Police, Circuit Attorney's Office, or other relevant law enforcement entities.

Ordinance 71647, Section 8.C.

25. On January 26, 2022, the City's Office of the Mayor publicly called for applicants to serve as the DFOB's inaugural members to "create this board to help ensure claims of injustice within our detention facilities are taken seriously." *City of St. Louis Seeks Applicants for Detention Facilities Oversight Board*, St-Louis-Mo.Gov (Jan. 26, 2022), https://www.stlouis-mo.gov/government/departments/mayor/news/dfob-applications.cfm, last visited April 5, 2024.

26. Janis Mensah filled out an application to serve as a member of the DFOB based on their interest in humane and safe corrections institutions and in civilian oversight.

27. The Mayor selected Janis to serve as a member of the DFOB, and specifically to serve as the youth representative.

28. Janis's appointment to the DFOB was approved by the City's Board of Alderman and the Mayor on March 9, 2022.

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29. After being appointed to the DFOB in March 2022, Janis visited CJC to learn about the facility and introduce themselves to the staff.

30. When they arrived, the CJC staff who greeted them were confused about who they were, stated they had never heard of an oversight board, and denied them access to the facility.

31. Janis and the other members of the DFOB attempted several times to contact the Commissioner or other jail staff.

32. Finally, in April 2022, Janis and some other appointed members of the DFOB met with Commissioner Clemons-Addullah.

33. In that initial meeting, Commissioner Clemons-Abdullah informed Janis and the other DFOB members that she had told Mayor Jones it was "too soon" for an oversight board, and that she did not think oversight of the facility was appropriate until she had been in her position longer.

34. In this meeting, Commissioner Clemons-Abdullah also was immediately and particularly hostile to Janis as the person who had been initiating most of the attempts to start oversight, and she stated about Janis "I know this one, because [they] are the one trying to take my job."

35. Despite the language of the ordinance mandating members of the DFOB have access to the facility, Commissioner Clemons-Abdullah told the members of the DFOB present that to visit the facility they would need to schedule it with her at a time of her choosing and provide a detailed itinerary that she could approve or deny.

36. Commissioner Clemons-Abdullah also told the board members they could not speak with detainees.

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37. This limited access mandated by Clemons-Abdullah contravened the requirements for access in the DFOB ordinance.

38. In August 2022, the other members of the DFOB voted to name Janis as the DFOB's Chairperson. After Janis served their term as Chairperson, they were elected by the other members as Vice Chairperson, and they held that position as of August 31, 2023.

39. Despite numerous requests from Janis and the other board members, it was not until November 2022 that Commissioner Clemons-Abdullah permitted Janis and several other members of the DFOB to come into the facility for an informal tour of CJC.

40. Commissioner Clemons-Abdullah and several other senior staff attended the entire tour with the members of the DFOB.

41. When Janis and other DFOB members tried to ask staff members questions during the tour, the Commissioner and other senior staff interrupted or spoke over those staff members' responses.

42. Following that informal tour and through Spring 2023, members of the DFOB's efforts to conduct the very oversight they were tasked with continued to be thwarted by the Commissioner and other senior staff. Janis and the other members of the DFOB sent request after request to Commissioner Clemons-Abdullah and the Interim Public Safety Director Charles Coyle to attempt to do oversight, including requests for documents and records, testimony from Commissioner Clemons-Abdullah, and, most importantly, access to the facility.

43. Commissioner Clemons-Abdullah refused to provide responsive information to the board; refused to provide the requested testimony; and refused to provide access to the facility.

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44. Commissioner Clemons-Abdullah's failures to respond or allow access violated St. Louis City Code as passed in DFOB Ordinance I and II.

45. Janis and the other board members took every avenue available to them to bring attention to the issue, including sending written notice thereof to the Mayor and the Director of Public Safety, with copies to the Clerk of the Board of Aldermen and the Chairperson of the Board of Aldermen Public Safety Committee.

46. As of August 31, 2023 (and through the present day), the City's DFOB website still represents that its members should be "granted access to city detention facilities upon request in order to obtain information and make findings and recommendations."[2]

47. Despite this, the Mayor, the Public Safety Director, and the City Counselor of the City of St. Louis left the decisions regarding DFOB access up to Commissioner Clemons-Abdullah, who chose to violate the ordinance and singlehandedly deny the DFOB members access.

48. On April 4, 2023, having not received responses for months, Janis emailed Commissioner Clemons-Abdullah notifying her that, pursuant to St. Louis City Ordinance, Janis would come to the jail in three days to conduct oversight.

49. On April 7, 2023, Janis came to CJC and was turned away after waiting for several hours in the CJC lobby, being told by Deputy Commissioner Tammy Ross that it wasn't a good day.

50. That same day, Janis gave notice of a planned visit on April 14, 2023.

[2] City of St. Louis, Detention Facilities Oversight Board, https://www.stlouis-mo.gov/government/departments/public-safety/civilian-oversight/detention-facilities-oversight/index.cfm#CP_JUMP_976840 (last accessed on August 20, 2025).

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51. Janis was allowed into the secure areas of CJC on April 14, 2023, again after waiting for several hours in the CJC lobby. However, after they began speaking with a detained individual who started sharing details of being maced, assaulted, and neglected by staff, CJC staff physically removed Janis from the area where they were speaking with the detainee and took them out of the building.

52. The next time Janis arrived for a visit seeking to do oversight, April 21, 2023, the staff told them to go home after Janis had waited in the lobby for a period of hours, stating (falsely) that their clothing was in violation of the facility dress code.

53. Commissioner Clemons-Abdullah wrote back to only one of Janis's emails about conducting facility oversight in an email sent on May 3, 2023:

> The facility is short staffed and we have other operations that are on-going. I would suggest requesting another day during the week that is better for the facility. Please advise in your future request of an agenda and places you would like to visit. We need to ensure to allocate manpower and ensure the needs of your request are met. If you are requesting a tour or to interview inmates. [sic] Please provide a list of names, so that we can have those inmates positioned for your interview. To ensure the process is a smooth one, prepare to present your identification and sign-in to the visitor log. Thank you and we look forward to future visits.

54. However, the Commissioner then did not respond after Janis and other board members did suggest an agenda, places they would like to visit, or request a tour.

55. Janis had been increasing their efforts to do any oversight in part because, throughout the time that the DFOB was formed at the spring of 2023, the conditions in CJC continued to be inhumane.

56. During Janis's time on the DFOB, a startling number of people died in custody of the CJC: seven people in between April 2022 and June 2023.

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57. Given the complete obstruction of the DFOB and the escalating number of deaths and other incidents in the facility, Janis was increasingly vocally critical of Commissioner Clemons-Abdullah throughout the spring and summer of 2023:

a. In April, Janis and the rest of the DFOB formally released a statement regarding "Division Of Corrections Obstruction[.]" The DFOB's statement excoriated Commissioner Clemons-Abdullah for "thwarting the will of the people and . . . violating duly-passed legislation," specifically citing her violations of the facility access provisions in DFOB Ordinance I. The statement further detailed how the DFOB had "only been greeted by resistance and obstruction by the commissioner[]" since its inception.

b. On June 5, Janis, in their role as Vice Chairperson, wrote to Mayor Jones and Interim Public Safety Director Coyle, on behalf of the full DFOB. This letter called on Jones and Coyle to request Commissioner Clemons-Abdullah's resignation. In the letter, and in contemporaneous statements to the press, Janis enumerated Clemons-Abdullah's efforts to prevent the DFOB from accessing the CJC amid continual detainee deaths and reports of "[i]nhumane, subpar conditions" there.

c. On August 22, a handful of CJC detainees held a correctional officer hostage inside the facility for roughly two hours, complaining of inadequate food. In the aftermath of this incident, Janis gave several interviews where they publicly criticized Commissioner Clemons-Abdullah for failing to keep the officer safe.

58. Commissioner Clemons-Abdullah was well-aware of Janis's statements and that Janis had written to the Mayor and Interim Public Safety Director to ask for her resignation.

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59. Commissioner Clemons-Abdullah communicated to City staff, including the City employee charged with running the COB and DFOB, that she had a personal dislike of Janis based on Janis's criticism of her and that she was determined to make sure Janis did not get access to the facility.

Events of August 31 and After

60. On August 31, 2023, at 4:30 p.m., the then-DFOB Chairperson alerted Janis and the other members of the DFOB of reports that, yet again, a detained person had died at CJC.

61. Given how many deaths had occurred and due to public reporting that CJC staff had been deleting videos of incidents, Janis decided to visit CJC and request information about the death directly from correctional staff.

62. As of 4:30 p.m. on August 31, 2023, Janis had not received any prior written notice from the Commissioner explaining that there were present circumstances that would temporarily preclude DFOB access to the CJC.

63. By the time Janis got to the facility, the death had been reported on, with statements from City representatives confirming the death. A*nother inmate dies at the St. Louis City Justice Center*, KMOV (August 31, 2023, 4:15pm) https://www.firstalert4.com/2023/08/31/another-inmate-dies-st-louis-city-justice-center/.

64. Janis arrived at CJC shortly before 5:00 p.m. Before entering the lobby, they went through security where they spoke to the corrections officer operating the metal detector and identified themselves as a DFOB member there to speak with Deputy Commissioner Tammy Ross.

65. A staff member identifying themselves as "Green" (first name unknown) then approached the metal detector from the visitor's lobby. Janis told Green that they were there to

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conduct oversight for the DFOB and asked whether another detainee had died at the facility. Green answered, "Yes."

66. Deputy Commissioner Ross then came out and sharply asked Plaintiff Mensah why they were there.

67. Deputy Commissioner Ross was the second in command at the facility, and was the other CJC staff member who regularly communicated with Janis about whether Janis and other DFOB members were allowed access to the facility.

68. The other CJC employees knew that Deputy Commissioner Ross and Commissioner Clemons-Abdullah were the ones that made decisions about whether DFOB members were allowed access to the facility. No other CJC employees regularly communicated with the DFOB members.

69. Janis told Deputy Commissioner Ross that they requested to view the facility's master control video room to see surveillance videos of the cells showing the recent death of the detainee.

70. Janis had been taken to the master control video room during the first informal tour and knew it to be a room accessible only by staff which shows security cameras throughout the jail.

71. The master control video room is directly adjacent to the visitor's lobby and is not accessible to detainees.

72. Janis did not request to interview detainees or staff, visit the location of the death, or otherwise enter the secure side of the facility.

73. Deputy Commissioner Ross denied that a person had passed away.

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74. She then stated that she couldn't answer Janis's request for oversight as she was leaving for the day but did not offer any additional information before she departed.

75. At this time, Deputy Commissioner Ross directed the corrections officer to allow Janis past the metal detector and into the interior lobby.

76. Janis was under the impression that, like the many other times Janis had visited, Janis was waiting while the Commissioner considered Janis's request to conduct oversight.

77. Janis proceeded to wait in the lobby for more than three hours, intent on performing their oversight duties in connection with the reported detainee death.

78. Based on past visits and interactions with the Commissioner and other senior CJC staff, Janis thought that if they left the lobby, their request would be ignored and never responded to.

79. Janis was concerned that relevant video footage of the circumstances of the death would be deleted or not provided to the DFOB.

80. Specifically, Janis knew that information previously provided to the DFOB had been inaccurate and omitted key facts. Janis also knew of reports that the facility had deleted videos of incidents. Janis wanted to be able to see the videos directly before there had been an opportunity to sequester or delete footage.

81. At approximately 8:08 p.m., Janis flagged down a correctional officer who had been stationed at the front desk and asked her when the lobby closed. She responded that the interior lobby would close when the last visit occurred, but that Janis was "more than welcome" to stay "on the other side" of the lobby (the exterior lobby, outside of the metal detector).

82. This correctional officer did not request that Janis move or leave.

83. Following that, multiple other visitors passed in and out of the lobby.

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84. At that time, the hours listed on the CJC website stated that non-professional visiting hours lasted until 9 p.m., and a large sign in the lobby also stated that visiting was allowed until 9 p.m. The website clarified that professional visitors could visit at any hour of the day.

85. Captain Ann Flint arrived in the interior lobby around 8 p.m.

86. At 8:20 p.m., Captain Ann Flint approached Janis, and asked Janis to move to the other side of the lobby outside of the metal detector. Captain Flint added, "You don't have to go out of the building."

87. Two minutes later, at 8:22 p.m., Commissioner Clemons-Abdullah and Deputy Commissioner Tammy Ross entered the lobby despite Deputy Commissioner Ross having said that she left. Both the Commissioner and the Deputy Commissioner asked Janis about protestors outside the building. Janis explained that another DFOB board member was outside and wanted to come in.

88. Commissioner Clemons-Abdullah asked Janis why they were still in the lobby, and Janis restated they were there to see the master controls.

89. Deputy Commissioner Ross briefly left the lobby to talk to correctional officers and see who was waiting to be let into the facility.

90. Commissioner Clemons-Abdullah did not give Janis a final answer as to whether Janis could see the master controls or do any other oversight.

91. Instead, the Commissioner asked Plaintiff Mensah to move to the outer vestibule.

92. The Commissioner then left the lobby.

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93. Deputy Commissioner Ross came back into the lobby and again asked Janis about their request and the protest. Deputy Commissioner Ross then stated, "I'll be right back, I'll be right back," and left the lobby.

94. Neither Deputy Commissioner Ross nor Commissioner Clemons-Abdullah returned to the lobby.

95. During this whole conversation with Commissioner Clemons-Abdullah and Deputy Commissioner Ross, Captain Flint was present.

96. Captain Flint thus understood based on Janis's comments to the Commissioner and the Deputy Commissioner that Janis was not there for a social visit with an inmate but was a member of the City's jail oversight board asking to see surveillance footage.

97. Captain Flint was not the CJC liaison with the DFOB members and Captain Flint knew all decisions about when and how DFOB members would be allowed to conduct oversight were made by the Commissioner and the Deputy Commissioner.

98. Commissioner Clemons-Abdullah did not tell Janis that she was denying the oversight visit and that Janis could not conduct oversight, or that Janis had to leave, or that Janis would be arrested if they did not leave.

99. Rather, as the City's dispatch recordings demonstrate, Defendant Clemons-Abdullah left the lobby and called the police at 8:27 p.m., stating that "a "5'5" Black [person]" was refusing to leave the CJC lobby and asking for police to "get [them] out of the lobby." Commissioner Clemons-Abdullah further stated that "[they] have no reason to be here."

100. Commissioner Clemons-Abdullah did not inform Janis that she had called the police.

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101. More than a half-hour passed with no further interaction between Janis and CJC staff.

102. During this time, Captain Flint remained in the lobby and was casually chatting with some of the other officers. Various staff members were walking around. Captain Flint did not ask Janis to leave, move, or otherwise change their behavior.

103. At no point had Commissioner Clemons-Abdullah, Deputy Commissioner Tammy Ross, or Captain Flint told Janis to leave the building altogether.

104. Given that the last communication Janis had received from staff was Deputy Commissioner Ross's statement "I'll be right back" and because there was a relaxed atmosphere which indicated there was no issue with Janis's presence, Janis believed they could remain seated where they were until Commissioner Clemons-Abdullah or the Deputy Commissioner gave Janis a response to the oversight request.

105. Instead, just before 9 p.m., SLMPD officers, Defendants Gonzales and Csapo, responded to the lobby of CJC.

106. Captain Flint told Officers Gonzales and Csapo that Janis had been in the lobby too long and that Commissioner Clemons-Abdullah wanted them arrested.

107. Janis was laying down on a metal bench and sat up a minute or so after Officers Gonzales and Csapo entered the lobby.

108. Neither Officer Gonzales nor Officer Csapo asked Janis directly why they were in the lobby.

109. Janis was unaware police had been summoned and did not know why the police officers were there.

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110. Officer Gonzales said, "Why are we not leaving when they ask you to leave?" and then, "It's time to go."

111. Only a minute after arriving on the scene, and only seconds after speaking to Janis, Officers Gonzales and Csapo advanced on Janis, who was sitting still with their arms by their sides.

112. Unable to predict the Officers' actions and feeling afraid for their safety, Janis moved their body backwards, away from the officers, and moved their hands under the arms of the metal bench.

113. As Officers Gonzales and Csapo approached Janis, Officer Gonzales told Janis to stand up.

114. But less than two seconds later, before Janis could stand up, Officers Gonzales and Csapo both put their hands on Janis and began pushing and pulling Janis's body, including Officer Csapo putting his body weight on top of Janis.

115. Janis could not stand up because of the officers' sudden and rough actions.

116. Officers Gonzales and Csapo did not give Janis a verbal command to remove their hands from the bench.

117. Instead, Officer Gonzales punched Janis in the back with a closed fist.

118. Janis unhooked their arm from the bench within 5 seconds.

119. It was only after going hands-on that Officer Csapo stated to Janis, "You are under arrest."

120. Officers Gonzales and Csapo forcibly removed Janis from the bench with such force that the metal bench moved several feet and threw Janis to the floor.

121. Janis's head hit the floor.

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122. After Janis's head hit the floor, Janis began to lose consciousness and feeling in their body.

123. Once on the floor, Officer Csapo held Janis down by kneeling on top of them, with Officer Csapo's knee on their back. Officer Csapo also had Janis's arm under control.

124. Officer Gonzales punched Janis several more times, again with a closed fist.

125. As Officer Gonzales was punching, he yelled, "Put your hands behind your back!"

126. Janis was unable to move their arm because Janis's arm was under their torso, which was in turn under Officer Csapo.

127. After Officer Csapo moved, Officer Gonzales was able to cuff Janis's hands without incident.

128. At this point, Janis's body was completely limp and they had lost consciousness and control of their limbs.

129. Due to Janis's lack of consciousness, Officers Gonzales and Csapo had to drag Janis out of the building by their arms.

130. Throughout this interaction, Janis did not verbally threaten the officers and did not voice any intention of disobeying orders.

131. Janis took neither threatening actions nor any actions that could have been construed as a threat to the officers or anyone else.

132. At no point did Janis make any threatening movements towards the officers, verbally threaten the officers, run from the officers, or attempt to resist the officers.

133. Before Officers Gonzales and Csapo seized Janis, Commissioner Clemons-Abdullah and Deputy Commissioner Ross had reentered the lobby to watch the arrest.

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134. Commissioner Clemons-Abdullah did not intervene in the arrest and instead looked on as Janis was assaulted, battered, and dragged out of the building.

135. Officers Gonzales and Csapo sat outside with Janis on the steps of CJC waiting for transport.

136. During this time, Officers Gonzales and Csapo made jokes about Janis, and attempted to prove Janis was not incapacitated by performing tests such as holding their limbs at awkward angles and then letting go to see if the limbs fell. During this entire time, Janis did not move or make any sound.

137. Officers Gonzales and Csapo transported Janis to Saint Louis University Hospital for treatment.

138. Janis began to regain consciousness in the hospital and realized they were sitting in a wheelchair.

139. Janis then heard the two officers tell the medical staff that they suspected Janis of faking symptoms. The two officers did not tell the medical staff there had been a physical confrontation and did not state that they had repeatedly struck Janis's head.

140. At no point during this incident was Janis faking an injury, under the influence of any substance, or otherwise responsible for their medical symptoms.

141. After being released from the hospital, Janis continued to experience pain for several weeks including swollen wrists with bruising, and ongoing neck and head pain.

142. Following the arrest, the City filed municipal charges against Janis: one count of trespassing on private property and one count of resisting arrest.

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143. Lawyers for the City Counselor's office stated explicitly both in private to Janis and in open court that they would dismiss the charges against Janis if Janis would agree not to sue the Commissioner, SLMPD, or the City for their conduct.

144. On December 13, 2023, Janis resigned from their position on the DFOB because of the retaliative conduct of the Defendants described above.

145. The criminal proceedings, which lasted nearly two years, and the prospect of being penalized merely for trying to perform their DFOB duties, amplified Janis's distress.

146. Janis faced a jury trial de novo in the Twenty-Second Judicial Circuit and was acquitted of the charges after a directed verdict.

147. The poor conditions in CJC continue to this day, with continued deaths.

148. Despite promises from two administrations, there has been little to no improvement in DFOB members being allowed access to the CJC to conduct oversight, and the facility continues to be rocked by unexplained deaths and complaints of poor treatment.

149. Janis suffered, and continues to suffer, severe emotional distress resulting from Defendants' unwarranted violence.

CAUSES OF ACTION

COUNT I
42 U.S.C. § 1983 – First and Fourteenth Amendment Violations
(Against Defendant Clemons-Abdullah)

150. By this reference, Janis incorporates every allegation contained in the preceding paragraphs as if fully set forth herein.

151. Under the Free Speech Clause of the First Amendment to the United States Constitution, as applied to the states through the Fourteenth Amendment, Janis has a fundamental right to express their views.

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152. Commissioner Clemons-Abdullah violated this right when she orchestrated Janis's arrest and forcible removal from CJC in retaliation for Janis's speech critical of her actions as CJC Commissioner.

153. Commissioner Clemons-Abdullah was aware that Janis had spoken publicly about her failures as the Commissioner of CJC.

154. Commissioner Clemons-Abdullah could have asked Janis to leave, could have told Janis she was denying Janis's visit, or could have granted Janis access to the facility.

155. Instead, Commissioner Clemons-Abdullah allowed Janis to think Janis was waiting for a response from the Commissioner for oversight and, instead of providing that response, personally called the police to report false and misleading information about Janis's presence in the facility to instigate an arrest.

156. Commissioner Clemons-Abdullah did so in retaliation against Janis for expressing, both directly to her and publicly, their views concerning the scope of the DFOB's oversight authority and the propriety of the Commissioner's own efforts to prevent the DFOB from accessing CJC to perform its oversight functions.

157. In calling the police and asking them to arrest Janis, Commissioner Clemons-Abdullah took an adverse action in response to Janis's speech that would not have been taken absent the retaliatory motive.

158. Indeed, Janis had been in the same lobby and waited many other times to speak with Commissioner Clemons-Abdullah. No other DFOB member or other professional visitor has been arrested for waiting to hear an official answer for access to the facility. The only difference this time was that Janis had publicly called for the Commissioner to resign or be fired.

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159. Commissioner Clemons-Abdullah's retaliatory conduct was sufficient to deter a person of ordinary firmness from continuing such activities.

160. Commissioner Clemons-Abdullah violated Plaintiff Mensah's First Amendment rights by preventing them from lawfully gathering information on the conditions of detention within CJC.

161. Because Janis intended to share what they learned with other members of the DFOB and the public pursuant to the City Code authorizing oversight of the jail, gathering that information was an important stage of a speech process ending with dissemination of information concerning a public controversy.

162. Commissioner Clemons-Abdullah knew that Janis was there for an official purpose and that she had not actually denied the oversight visit yet or told Janis they had to leave the building. The Commissioner both told SLMPD and instructed her staff to tell SLMPD false facts to manufacture otherwise false probable cause.

163. Commissioner Clemons-Abdullah committed the conduct described herein knowingly and willfully, with reckless or deliberate indifference to Janis's clearly established First and Fourteenth Amendment rights.

164. As a direct and proximate result of Commissioner Clemons-Abdullah's unconstitutional actions, Janis suffered damages including physical injuries and emotional distress.

165. Commissioner Clemons-Abdullah's actions, described above, were intentional, wanton, malicious, oppressive, reckless, and callously indifferent to the rights of Janis, entitling Janis to an award of punitive damages against Commissioner Clemons-Abdullah.

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166. If Janis prevails, they are entitled to an award of attorneys' fees pursuant to 42 U.S.C. § 1988 *et seq.*

COUNT II

42 U.S.C. § 1983 – Fourth and Fourteenth Amendment Violations: Excessive Force (Against Defendants Gonzales and Csapo)

167. By this reference, Janis incorporates every allegation contained in the preceding paragraphs as if fully set forth herein.

168. Janis presented no physical threat to either Officers Gonzales or Csapo—indeed, Janis had been passively sitting on a bench in a public lobby, was completely unarmed, and engaged in no threatening movements, words, or actions throughout the entire encounter.

169. Janis is of slight physical build, and both Officers Gonzales and Csapo are at least a hundred pounds more than them and had their entire body weight on top of Janis.

170. Despite the complete lack of physical threat, Officers Gonzales and Csapo grabbed Janis, forcibly removed them with physical force (including a closed-fist punch to the back of the head) and threw them violently on the floor.

171. The purported justification for this use of force was Janis' alleged failure to stand up, but Janis could not stand up because of the officers' own actions in violently grabbing and manhandling them.

172. To the extent the purported justification for this use of force was Janis's arms being under the bench—the officers gave no verbal direction to let go of the bench, Janis almost immediately did let go of the bench, and the officers' physical aggression made it impossible for Janis to independently move their arms.

173. Once on the floor, Officer Gonzales punched Janis repeatedly, again with a closed fist, while Janis was completely restrained.

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174. The purported justification for these uses of force was that Janis didn't move their arm to be handcuffed: but Officer Gonzales punched multiple times *before* giving a directive to Janis, and Janis was unable to move their arm because of Officer Csapo's body weight on top of them.

175. The degree of force used by Officers Gonzales and Csapo against Janis when arresting them—tearing them from the bench, throwing them to the floor, kneeling on their back, and punching them repeatedly—was objectively unreasonable and in violation of Janis's clearly established rights. The Officers' conduct thus constituted excessive force in violation of the Fourth Amendment, as applied to the states through the Fourteenth Amendment.

176. Officers Gonzales and Csapo committed this conduct knowingly and willfully, with reckless or deliberate indifference to Janis's constitutional rights, and despite Janis's plain passivity and attempts to comply both before and during the arrest.

177. As a direct and proximate result of Officers Gonzales and Csapo's unconstitutional conduct, Janis suffered severe physical injuries and emotional distress.

178. The acts described herein were intentional, wanton, malicious, and callously indifferent to the rights of Janis, thus entitling them to an award of punitive damages against the Defendants.

179. If Janis prevails, they are entitled to an award of attorneys' fees pursuant to 42 U.S.C. § 1988 *et seq.*

COUNT III

42 U.S.C. § 1983 – Fourth and Fourteenth Amendment Violations: Failure to Intervene
(Against Defendant Clemons-Abdullah)

180. By this reference, Janis incorporates every allegation contained in the preceding paragraphs as if fully set forth herein.

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181. Commissioner Clemons-Abdullah had the opportunity and means to deescalate the situation both before and during the underlying excessive force violations by Officers Gonzales and Csapo.

182. Commissioner Clemons-Abdullah could have intervened at any point as those violations unfolded by explaining Janis's identity as a member of the DFOB. Commissioner Clemons-Abdullah could have also told Janis directly that she wished for them to leave.

183. Instead, after Officers Gonzales and Csapo arrived, Commissioner Clemons-Abdullah reemerged into the lobby and watched as the officers used excessive force against Janis.

184. At no point during the assault on Janis did Commissioner Clemons-Abdullah walk over and ask the Officers to stop, despite being mere yards away and despite having ranking authority as the Commissioner of the facility.

185. As a direct and proximate result of Commissioner Clemons-Abdullah's unconstitutional conduct, Janis suffered severe physical injuries and emotional distress.

186. Commissioner Clemons-Abdullah's actions, described above, were intentional, wanton, malicious, oppressive, reckless, and callously indifferent to the rights of Janis, entitling Janis to an award of punitive damages against Commissioner Clemons-Abdullah.

187. If Janis prevails, they are entitled to an award of attorneys' fees pursuant to 42 U.S.C. § 1988 *et seq.*

COUNT V
42 U.S.C. § 1983 – Municipal Liability
(*Monell* Claim Against Defendant City of St. Louis)

188. By this reference, Janis incorporates every allegation contained in the preceding paragraphs as if fully set forth herein.

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189. The City of St. Louis is liable under *Monell vs. Department of Social Services*, 436 U.S. 658 (1978), when a final policymaker of the City of St. Louis engages in an unconstitutional action. *Pembaur v. City of Cincinnati*, 475 U.S. 469 (1986)

190. Commissioner Clemons-Abdullah was acting as the City of St. Louis's final policymaker because the Commissioner was given complete discretion to control operations of CJC, including allowing access and entrance to the facility andthe responsibility by City ordinance to facilitate information gathering and facility access for the DFOB.

191. Commissioner Clemons-Abdullah, acting as a final policymaker, caused a critic of her administration to be arrested and violently removed from the facility to retaliate against them for their criticism and to prevent them from further criticism.

192. Alternatively, Commissioner Clemons-Abdullah was delegated final policymaking authority over access to the building by the Interim Public Safety Director, the Mayor, and the Board of Alderman allowing Commissioner Clemons-Abdullah to be the final decision-maker as to who was permitted access or to excluded from CJC.

193. Alternatively, the final policymakers of the City of St. Louis ratified Commissioner Clemons-Abdullah's conduct by defending Commissioner Clemons-Abdullah's actions; prosecuting Janis for multiple years for alleged, false violations; allowing her continued control over who had access to the facility; and permitting her to continue excluding political adversaries or critics from the facility.

194. As a direct and proximate result of Commissioner Clemons-Abdullah's unconstitutional conduct, Janis suffered physical injuries and emotional distress.

195. If Janis prevails, they are entitled to an award of attorneys' fees pursuant to 42 U.S.C. § 1988 *et seq.*

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COUNT VI
Missouri State Law – False Arrest
(Against Defendants Clemons-Abdullah and Flint)

196. By this reference, Janis incorporates every allegation contained in the preceding paragraphs as if fully set forth herein.

197. Commissioner Clemons-Abdullah and Captain Flint knowingly gave false, incomplete, and misleading information to SLMPD dispatch and to Officers Gonzales and Csapo.

198. Specifically, Commissioner Clemons-Abdullah stated that Janis was trespassing, had been asked to leave and was refusing to leave, and told dispatch that Janis had no reason to be there, despite knowing that Janis had a reason to be there and knowing that Janis had not been asked to leave.

199. Commissioner Clemons-Abdullah purposely instigated the arrest because she did not want to put in writing or make it clear that she was denying the oversight visit, but instead wanted to make it seem like Janis was the one acting inappropriately.

200. Commissioner Clemons-Abdullah requested SLMPD officers come to the jail for the purpose of arresting Janis.

201. By doing so, Commissioner Clemons-Abdullah encouraged, promoted, and instigated the arrest of Janis.

202. Captain Flint then repeated the same false, incomplete, and misleading information to Officers Gonzales and Csapo when the officers arrived at the jail.

203. Specifically, Captain Flint said only that Janis had been asked to leave and was refusing to leave, but Captain Flint did not state that Janis was a member of the DFOB or that Janis was waiting access for an oversight visit. Captain Flint also stated that Janis was not

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answering questions from staff despite Captain Flint having recently witnessed Janis speak directly to both the Commissioner and Deputy Commissioner.

204. By doing so, Captain Flint encouraged, promoted, and instigated the arrest of Janis.

205. Commissioner Clemons-Abdullah and Captain Flint took their actions with bad faith or with malice in that Commissioner Clemons-Abdullah and Captain Flint acted contrary to their duty, intended to be prejudicial to Janis, and had actual intent to cause injury.

206. The arrest of Janis by Officers Gonzales and Csapo occurred as a direct result of these statements by Commissioner Clemons-Abdullah and Captain Flint.

207. As a direct and proximate result of Clemons-Abdullah and Flint's unconstitutional conduct, Janis suffered severe physical injuries and emotional distress.

COUNT VII
Missouri State Law – Assault
(Against Defendants Gonzales and Csapo)

208. By this reference, Plaintiff Mensah incorporates every allegation contained in the preceding paragraphs as if fully set forth herein.

209. Officers Gonzales and Csapo intended by their conduct to cause Janis apprehension of offensive physical contact and fear of immediate bodily harm. Janis did experience such apprehension and fear.

210. Officers Gonzales and Csapo committed the assault with neither just cause, provocation, nor any other justification.

211. Officers Gonzales and Csapo committed the assault with bad faith or with malice in that Officers Gonzales and Csapo acted contrary to their duty, intending to be prejudicial to Janis, and had actual intent to cause injury.

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212. As a direct and proximate result of Officers Gonzales and Csapo's unlawful conduct, Janis suffered severe physical injuries, emotional distress, and special damages in the form of medical expenses.

COUNT VIII
Missouri State Law – Battery
(Against Defendants Gonzales and Csapo)

213. By this reference, Plaintiff Mensah incorporates every allegation contained in the preceding paragraphs as if fully set forth herein.

214. Officers Gonzales and Csapo intended the conduct discussed more fully above to cause physical contact with Janis.

215. The physical contact that Officers Gonzales and Csapo caused was offensive and harmful to Janis. The Officers made this contact with no legal justification.

216. Officers Gonzales and Csapo committed the assault with bad faith or with malice in that Officers Gonzales and Csapo acted contrary to their duty, intended to be prejudicial to Janis, and had actual intent to cause injury.

217. As a direct and proximate result of Officers Gonzales and Csapo's unlawful conduct, Janis suffered severe physical injuries, emotional distress, and special damages in the form of medical expenses.

COUNT IX
Missouri State Law – Abuse of Process
(Against Defendant Clemons-Abdullah)

218. By this reference, Janis incorporates every allegation contained in the preceding paragraphs as if fully set forth herein.

219. Commissioner Clemons-Abdullah pretended to call SLMPD assistance with a request to arrest an after-hours trespasser at CJC but, in fact, Commissioner Clemons-Abdullah

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knew that Janis was not a trespasser at all, but rather a DFOB member who had a good-faith belief they were conducting oversight under the City ordinances.

220. Commissioner Clemons-Abdullah's actual purpose in causing Janis's arrest and prosecution was to punish Janis for exercising their fundamental speech rights, and for attempting to perform their DFOB duties.

221. This was an improper collateral purpose, not a legitimate objective of complaining to the police. Commissioner Clemons-Abdullah's willful and definite act of calling law enforcement on Janis was a use of process not warranted or authorized by law.

222. Commissioner Clemons-Abdullah took her actions with bad faith or with malice in that Commissioner Clemons-Abdullah acted contrary to her duty, intending to be prejudicial to Janis, and had actual intent to cause injury.

223. As a direct and proximate result of Commissioner Clemons-Abdullah's unlawful conduct, Janis suffered, and continues to suffer, emotional distress associated with defending against unmerited criminal charges.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests judgment in their favor against Defendants for fair and reasonable compensatory damages, plus court costs, and for all other and further relief the Court deems appropriate. Plaintiff reserves the right to seek punitive damages pursuant to RSMo § 510.261.

August 29, 2025

Respectfully submitted,

/s/ Maureen Hanlon
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