



NAILAH K. BYRD
CUYAHOGA COUNTY CLERK OF COURTS
1200 Ontario Street
Cleveland, Ohio 44113

Court of Common Pleas

New Case Electronically Filed: COMPLAINT
April 29, 2026 14:00

By: KEITH HANSBROUGH 0072671

Confirmation Nbr. 3837607

JAJUAN WYCKOFF, ET AL.

CV 26 137977

vs.

Judge: EMILY HAGAN

CITY OF BROOKLYN, ET AL.

Pages Filed: 52

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

JaJuan Wyckoff,
5321 East 141st Street
Maple Heights, Ohio 44137

and

Khadijah Wyckoff,
5321 East 141st Street
Maple Heights, Ohio 44137

Plaintiffs,

vs.

City of Brooklyn,
8000 Memphis Avenue,
Brooklyn, Ohio 44144

and

Scott Mielke,
c/o City of Brooklyn Police Department
8000 Memphis Avenue,
Brooklyn, Ohio 44144
Individually and in his official capacity
as an employee of the City of Brooklyn

and

Paul Stein,
c/o City of Brooklyn Police Department
8000 Memphis Avenue,
Brooklyn, Ohio 44144
Individually and in his official capacity
as an employee of the City of Brooklyn

and

) JUDGE

) Case Number:

) COMPLAINT

) (JURY DEMAND ENDORSED HEREON)

Cindy Eschweiler)
 c/o City of Brooklyn Police Department)
 8000 Memphis Avenue,)
 Brooklyn, Ohio 44144)
 Individually and in her official capacity)
 as an employee of the City of Brooklyn)
)
 and)
)
 Morley Brenenstuhl,)
 c/o City of Brooklyn Police Department)
 8000 Memphis Avenue,)
 Brooklyn, Ohio 44144)
 Individually and in his official capacity)
 as an employee of the City of Brooklyn)
)
 and)
)
 Brianna Molnar,)
 c/o City of Brooklyn Police Department)
 8000 Memphis Avenue,)
 Brooklyn, Ohio 44144)
 Individually and in her official capacity)
 as an employee of the City of Brooklyn)
)
 and)
)
 Reynaldo Monroy,)
 c/o City of Brooklyn Police Department,)
 8000 Memphis Avenue,)
 Brooklyn, Ohio 44144)
 Individually and in his official capacity)
 as an employee of the City of Brooklyn)
)
)
 Defendants.)
)

For their Complaint against Defendants City of Brooklyn, Paul Stein, Scott Mielke,
 Cindy Eschweiler, Morley Brenenstuhl, Brianna Molnar and Reynaldo Monroy, Plaintiffs JaJuan
 Wyckoff and Khadijah Wyckoff allege as follows:

INTRODUCTION AND FACTUAL BACKGROUND

1. After being brutally attacked by a police officer who smelled of alcohol, being intimidated and threatened by multiple police officers who he came to in order to report the crimes that he was a victim of, being forced to watch his attacker/perpetrator be hidden away by his fellow police officers from justice and consequences while he was still in the process of committing said crimes, being repeatedly subjected to violations of his civil and statutory rights and being forced to stand by and watch as the police officers he came to for help and protection behaved illegally, unlawfully and outrageously, Plaintiff JaJuan Wyckoff was subjected to one final insult and illegal act of intimidation when Defendant Brooklyn Chief of Police Scott Mielke verbally warned and threatened Plaintiff JaJuan Wyckoff that he would have pulled a gun on him for what he did.

2. On April 30, 2025 Plaintiff JaJuan Wyckoff was lawfully operating a motor vehicle on the public highways and public roadways in Cuyahoga County, Ohio.

3. While operating his motor vehicle on the public highway, Plaintiff JaJuan Wyckoff's vehicle was struck by another motor vehicle operated by Defendant Paul Stein.

4. At all times prior to the impact and at the time of impact, Plaintiff JaJuan Wyckoff was lawfully operating his motor vehicle.

5. At all times prior to the impact and at the time of impact, Defendant Stein was driving unlawfully as he was operating his motor vehicle at a dangerous speed, performed an illegal lane change, was driving recklessly, was driving under the influence of alcohol and illegally cut off the motor vehicle being operated by Plaintiff JaJuan Wyckoff.

6. Defendant Stein's act of using his motor vehicle to unlawfully and illegally strike the motor vehicle of Plaintiff JaJuan Wyckoff caused physical damage to Plaintiff JaJuan

Wyckoff's motor vehicle, physical damage and injury to Plaintiff JaJuan Wyckoff himself and emotional damage to Plaintiff JaJuan Wyckoff.

7. Defendant Stein was multiple committing crimes at the time he struck Plaintiff JaJuan Wyckoff's car, including but not limited to reckless driving under Ohio Revised Code section 4511.20.

8. Plaintiff JaJuan Wyckoff would later learn that Defendant Stein was also committing the crime of driving while intoxicated when he smelled a strong odor of alcohol on Defendant Stein when he exited his vehicle.

9. Under Ohio law, driving while intoxicated is a crime by virtue of Ohio Revised Code section 4511.19.

10. Immediately after causing the impact with Plaintiff JaJuan Wyckoff's motor vehicle, Defendant Stein attempted to and did in fact flee the scene of the accident in violation of Ohio Revised Code section 4549.02.

11. Defendant Stein continued to illegally drive recklessly while driving at illegal high speeds on the public highway and then upon the public roadways as he continued to illegally flee the scene of an accident as he sought refuge and harbor on the grounds of Defendant City Brooklyn's police department building.

12. Plaintiff JaJuan Wyckoff captured the acts of Defendant's Stein illegal and dangerous act of fleeing the scene on his cell phone camera, which he would later show to Defendants Brenenstuhl, Molnar and Monroy who would willfully and intentionally ignore the video evidence.

13. Defendant Stein then parked his motor vehicle at the Defendant City of Brooklyn's building where its police department was located.

14. Plaintiff JaJuan Wyckoff attempted to talk to Defendant Stein in the parking of Defendant City of Brooklyn's police department regarding Defendant Stein causing the collision with Plaintiff JaJuan Wyckoff's motor vehicle so they could report the accident to law enforcement.

15. Defendant Stein continued to flee the scene of the accident and attempted to conceal himself inside the building of Defendant City of Brooklyn's police department building.

16. At no time did Defendant Stein verbally identify himself as a police officer to Plaintiff JaJuan Wyckoff.

17. At no time did Defendant Stein verbally inform Plaintiff JaJuan Wyckoff that he could not enter the building through the same door as Defendant Stein.

18. In response to Plaintiff JaJuan Wyckoff's non-violent and non-threatening actions, Defendant Stein elected not to utilize any verbal actions, not to deescalate the situation and not to stop fleeing the scene of the motor vehicle accident while under the influence of alcohol.

19. In response to Plaintiff JaJuan Wyckoff's non-violent and non-threatening actions, Defendant Stein elected to unlawfully and illegally strike Plaintiff JaJuan Wyckoff multiple times causing him injury by the use of the unlawful force in the forms of punches and kicks.

20. These acts of unlawful force by Defendant Stein against Plaintiff JaJuan Wyckoff constituted an unlawful seizure, an unlawful arrest and an unlawful use of force under the Fourth and Fourteenth Amendments to the U.S. Constitution.

21. Defendant Stein would later falsely claim that he was using force as a police officer to prevent Plaintiff JaJuan Wyckoff from entering the building through the wrong door despite Defendant Stein never drafting an incident report and/or a use of force report as to what he alleges occurred.

22. Defendant Stein's physical attack upon Plaintiff JaJuan Wyckoff constituted an assault and battery under Ohio Revised Code section 2903.13.

23. Defendant Stein's physical attack upon Plaintiff JaJuan Wyckoff constituted both negligent and intentional infliction of emotional distress under Ohio law

24. After the physical attack upon Plaintiff JaJuan Wyckoff, Defendant Stein continued to flee the scene of the accident and hid inside the building of Defendant City of Brooklyn's police department with the help and aid of Defendants Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy.

25. While fleeing and hiding in the building with Defendant Scott Mielke and Defendant Cindy Eschweiler, Defendant Stein was not questioned on camera as any other suspect of a crime would have been.

26. While fleeing and hiding in the building with Defendant Mielke and Defendant Eschweiler, Defendant Stein was not tested to determine if he was intoxicated as any suspect would have been after the victim of a crime tells the police he smelled alcohol on the suspect who had been driving a motor vehicle upon the public roadways and public highways, including the public roadways in the City of Brooklyn.

27. While fleeing and hiding in the building with Defendant Mielke and Defendant Eschweiler, Defendant Stein was not subject to on camera questioning by the investigating officers outside the building at the scene of the crime as any suspect of a crime would have been.

28. While fleeing and hiding in the building with Defendant Mielke and Defendant Eschweiler, Defendant Stein was not asked to give a written statement as any suspect of a crime would have been.

29. While fleeing and hiding in the building, Defendants Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy utilized tactics including but not limited to not turning on body cameras, turning off body cameras, conducting questioning away from building cameras, utilizing cell phones, not utilizing police department communications devices and methods, not following standard police procedures for an investigation of a crime, and not following Defendant City of Brooklyn's procedures for an investigation of a crime all to continue to aid Defendant Stein and protect him for legal consequences.

30. While Defendants Mielke and Eschweiler were hiding Defendant Stein inside the building, Plaintiff JaJuan Wyckoff asked Defendants Brenenstuhl, Molnar and Monroy why Defendant Stein was in the building and Defendant Mielke would not come outside to the scene to talk with him.

31. Defendant Brenenstuhl responded to Plaintiff JaJuan Wyckoff's requests to talk to Defendant Mielke with a mocking response that it was too early in the morning for the Chief of Police (Defendant Mielke) to come outside and talk with anyone as he was inside talking to Defendant Stein.

32. While assisting Defendant Stein in fleeing the scene of crimes and hiding, Defendants Mielke and Eschweiler did not even take any notes regarding a statement from Defendant Stein as they would have with any other suspect of a crime.

33. While assisting Defendant Stein in fleeing the scene of his crimes and hiding, Defendants Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy assisted Defendant Stein in the commission of his crimes against Plaintiff JaJuan Wyckoff, including but not limited to Defendant Stein's act of fleeing the scene of an accident in violation of Ohio Revised Code

sections 2923.03 (complicity), 2921.45 (interfering with civil rights, including but not limited to “attempting”), 2921.32 (obstruction justice) and 2921.12 (tampering with evidence).

34. While Defendants Mielke and Eschweiler were hiding Defendant Stein (the suspect in multiple crimes, which were still ongoing), Defendants Brenenstuhl, Molnar and Monroy were outside of the building with Plaintiff JaJuan Wyckoff also aiding and helping Defendant Stein to flee the scene and avoid legal consequences.

35. Defendants Brenenstuhl, Molnar and Monroy were conspiring and working with Defendants Mielke and Eschweiler in their acts to aid Defendant Stein as evidenced on video by Defendant Molnar using a cell phone to call into the building to talk to Defendants Stein, Mielke and Eschweiler and then attempting to relay that information to Defendants Brenenstuhl and Monroy off camera.

36. Defendant Molnar was the supervisor in charge during the time period outside with Plaintiff JaJuan Wyckoff as admitted by Defendant Monroy on camera.

37. Defendants Brenenstuhl, Molnar and Monroy violated Ohio criminal law and assisted Defendant Stein in hiding and fleeing the scene of the crimes being committed by Defendant Stein against Plaintiff JaJuan Wyckoff.

38. Some of the unlawful conduct of Defendants Brenenstuhl, Molnar and Monroy was captured on body camera footage, but not all of it as they worked very hard to attempt to keep a record from being made, but they were to fully successful in their efforts to conceal what was transpiring.

39. Defendant Molnar proudly told the other officers outside that she “called” Stein (the suspect of the still in progress crimes) to get his side of the story, but she turned her body camera recorder off for the talk with the suspect (Defendant Stein).

40. Defendant Monroy was visibly pleased with Defendant Monar's violation of policy in turning off her body camera recorder when talking with Defendant Stein.

41. Defendant Monroy even went to turn off his body camera so he and Defendant Molnar could talk more off the record, but Defendant Molnar happily informed him it was not necessary as they did not need to talk anymore because everything was already taken care of to protect the suspect (Defendant Stein).

42. Defendants Brenenstuhl, Molnar and Monroy were told on camera by Plaintiff JaJuan Wyckoff multiple times about Stein's ongoing criminal acts, including but not limited to fleeing the scene of an accident and driving while intoxicated in the City of Brooklyn.

43. Defendants Brenenstuhl, Molnar and Monroy were told on camera by Plaintiff JaJuan Wyckoff about Stein smelling strongly of alcohol.

44. Defendants Brenenstuhl, Molnar and Monroy were told on camera by Plaintiff JaJuan Wyckoff about Defendant Stein seizing and physically attacking Plaintiff JaJuan Wyckoff.

45. Defendants Brenenstuhl, Molnar and Monroy were told on camera by Plaintiff JaJuan Wyckoff about all the events of that day relevant to what Defendant Stein had done and was actively still doing, which constituted crimes under Ohio law.

46. Defendants Brenenstuhl, Molnar and Monroy made no attempt to interview Stein on camera at the scene.

47. Defendants Brenenstuhl, Molnar and Monroy made no attempt to check Defendant Stein for intoxication.

48. Defendants Brenenstuhl, Molnar and Monroy actions and inactions described throughout this Complaint toward Plaintiff JaJuan Wyckoff were directly intended to get him to leave the premises without filing a formal police report against Defendant Stein, to intimidate

Plaintiff JaJuan Wyckoff to not make a statement about the attack as was his right under Ohio law and to thwart any real investigation into the suspect's (Defendant Stein) crimes and constitutional violations.

49. Defendants Brenenstuhl, Molnar and Monroy found no illegal conduct by Defendant Stein in using force against Plaintiff JaJuan Wyckoff, which is evidence of the official policy of Defendant City of Brooklyn Police Department as to use of force.

50. While talking on camera with Plaintiff JaJuan Wyckoff, Defendant Molnar (the supervisor on scene at that time) happily said what was happening to Plaintiff JaJuan Wyckoff was not fair.

51. Defendant Monroy attempted to prevent Plaintiff JaJuan Wyckoff from filing his police complaint by telling him on camera to "listen" to him before he writes out his statement, which was clear evidence of victim intimidation.

52. Defendants Molnar and Monroy were even so bold as to say out loud on camera that they were trying to get Plaintiff JaJuan Wyckoff to leave and not escalate the situation.

53. Defendant Monroy warned Plaintiff JaJuan Wyckoff on camera that "our boss" is inside talking to Defendant Stein.

54. Defendant Monroy told Plaintiff JaJuan Wyckoff on camera that he saw no issue in what Plaintiff JaJuan Wyckoff was claiming when he stated, "no issue here in Brooklyn," despite a suspect fleeing the scene of an accident with alcohol on his breath less than 50 yards away from them while they were standing in the City of Brooklyn talking to a victim who had just been assaulted.

55. Defendant Molnar (supervisor on scene) even went so far as to state on camera while away from Plaintiff JaJuan Wyckoff, “Tell him to get the fuck out, why are we even still talking.”

56. Defendant Molnar can be heard on camera mocking Plaintiff JaJuan Wyckoff about getting a call for another accident and then stating, “an actual accident” while laughing.

57. Defendants Monroy and Morley in the pursuit of assisting Defendant Stein in his crimes against Plaintiff JaJuan Wyckoff, even turned off their police body camera for portions of the investigation outside in the parking lot in violation of policy and police practice.

58. Defendant Monroy can be heard on camera talking to Defendant Brenenstuhl that they need to address Plaintiff JaJuan Wyckoff “in some way so he’s gonna leave out of here and not escalate,” which is clear evidence of their continued assistance to Defendant Stein in the commission of his crimes, proactive action on their part to intimidate Plaintiff JaJuan Wyckoff and prevent Plaintiff JaJuan Wyckoff from filing an official police complaint, gaining access to the courts, seeking due process, receiving equal protection under the law, exercising his First Amendment rights, etc.

59. Defendant Brenenstuhl can be heard on camera saying to Defendant Monroy that Defendant Stein told him he kicked Plaintiff JaJuan Wyckoff, but Defendant Brenenstuhl saw no criminal conduct, unlawful wrongful conduct and/or constitutional violation in what Defendant Stein admitted to doing.

60. Defendant Brenenstuhl can be heard on camera saying to Defendant Monroy (who agrees with him) that even though Defendant Stein struck Plaintiff JaJuan Wyckoff as a police officer that since he could not see a physical injury on Plaintiff JaJuan Wyckoff that there was no criminal and/or civil issue in Defendant Stein’s actions and Defendant Stein’s use of

force was legal and in line with Defendant City of Brooklyn's use of force policies and the Constitution.

61. Two police officers employed by Defendant City of Brooklyn's police department on video and audio opining that when a fellow police officer strikes a private citizen it is not a criminal assault, criminal battery and/or unlawful excessive force if there is no visible injury, clearly evidences an official de facto policy, a complete lack of training, supervision and discipline of police officers by Defendant City of Brooklyn Police Department, and a custom and practice that violates the Fourth and Fourteenth Amendments.

62. No use of force report was ever completed by any of the Defendants as to Defendant Stein's physical strikes against Plaintiff JaJaun Wyckoff.

63. Like Defendants Mielke and Eschweiler, Defendants Brenenstuhl, Molnar and Monroy were trying to interfere with Plaintiff JaJuan Wyckoff filling out a police report and/or complaint, seeking redress for his civil rights being violated, exercising his First, Fourth and Fourteenth Amendment Rights under the U.S. Constitution, exercising his Ohio Constitutional Rights, etc.

64. While Defendants Mielke and Eschweiler elected not to record any interview of Defendant Stein while they were harboring Defendant Stein inside the building, Defendant Eschweiler clearly had a body camera on the entire time as she chose to at long last activate it once Defendant Stein was no longer present and she was observing Defendant Mielke talk to Plaintiff JaJuan Wyckoff in the building lobby as they were making him leave.

65. Defendant Mielke was and is the chief and final policy maker for Defendant City of Brooklyn's police department at all times relevant.

66. Defendant Eschweiler was and is a supervisor for Defendant City of Brooklyn's police department at all times relevant.

67. After the three Defendants outside the building finished their "investigation," Plaintiff JaJuan Wyckoff came into the building and Defendants Mielke and Eschweiler came to the lobby briefly (without Defendant Stein) to pressure Plaintiff JaJuan Wyckoff to leave.

68. On April 30, 2025, while talking to Plaintiff JaJuan Wyckoff on camera, chief and final policy maker Defendant Mielke spoke about his view on what Plaintiff JuJuan Wyckoff was saying Defendant Stein did.

69. On April 30, 2025 while talking to Plaintiff JaJuan Wyckoff on camera, chief and final policy maker Defendant Mielke spoke about the official policies of the City of Brooklyn Police Department as to the use of force.

70. On April 30, 2025 while talking to Plaintiff JaJuan Wyckoff on camera, chief and final policy maker Defendant Mielke stated that Defendant Stein's actions, which were still taking place in real time, were all in accordance with official policy.

71. An oral statement by a police department's chief and final policy maker, even after an incident can serve as evidence of what the official policy was that existed at the time of the incident.

72. Official police department policies can be oral and need not be written.

73. On April 30, 2025 while talking to JaJuan Wyckoff on camera, chief and final policy maker Defendant Mielke even went a step further than just stating the official policy of the police department as to use of force when he elected to give another example of the unconstitutional use of force that was within policy when he addressed what he would have done in Defendant Stein's position.

74. On April 30, 2025 while talking to JaJuan Wyckoff on camera, chief and final policy maker Defendant Mielke stated that it was within official policy for an officer to use physical force against non-resisting / non-threatening / cooperative suspect by telling Plaintiff JaJuan Wyckoff that if he had been in Defendant Stein's place, "I would have pulled my gun."

75. "Pulling a gun" on a suspect such as Plaintiff JaJuan Wyckoff who was not resisting arrest, who was not failing to comply with police orders, who was not physically threatening the officer and/or the public, and posed no physical danger was and is an unconstitutional use of force under 42 USC section 1983.

76. Defendant Mielke's act of telling Plaintiff JaJuan Wyckoff that he would have utilized a firearm against him was meant as a threat, an act of victim intimidation and a statement as to official policy.

77. While Defendant Mielke's statements to Plaintiff JaJuan Wyckoff can (and do) establish his supervisor liability, direct involvement liability and ratification liability, they also serve as evidence of the official policies of Defendant City of Brooklyn's police department.

78. This case presents the unique fact pattern of the final policy maker being on scene during the events, actively and directly participating in the events, stating on camera in clear and conscious statements that his fellow officers behaved lawfully, stating in clear and conscious statements that his fellow officers behaved within the official policies of the department, and even being so bold as to give the victim an example of other unlawful force that he believes should have been used in compliance with the official policy.

79. After an exhaustive caselaw search, no federal district and/or federal appellate court opinion could be found that presents a fact pattern where the final policy maker was an active participant in the events and acted so brazenly as Defendant Mielke (Brooklyn Chief of

Police) with his official statements on camera at the scene and later in his “investigation” and report.

80. All the actions by Defendant Mielke in the prior paragraph occurred at the scene during the events while he was a direct participant and do not even yet address his later statements as to official policy and his acts of ratification in the weeks and months after the incident, which will be addressed later in this Complaint.

81. As Plaintiff JaJuan Wyckoff next departed the Defendant City of Brooklyn’s police department building, Defendant Mielke stated sarcastically on camera that he wished Plaintiff JaJuan Wyckoff “good luck” with Westlake police as a final insult and/or taunt to Plaintiff JaJuan Wyckoff.

82. Defendant Mielke’s wish of “good luck” to Plaintiff Wyckoff was in reference to the criminal suspect (Defendant Stein) that he and Defendants Eschweiler, Brenenstuhl, Molnar and Monroy were still actively assisting and hiding inside the police department in violation of criminal and civil law.

83. Defendant Mielke’s “investigation” after April 30, 2025 found no policy violations at the building and found all conduct at the building by the Brooklyn police officers was in compliance and accordance with official policy.

84. Defendant Mielke’s “investigation” after April 30, 2025 stated, “Stein did what any other reasonable person would have done to keep an unwanted and unknown individual from entering a secure location. No department policy violations were found in Stein’s conduct or behavior during the incident while in Brooklyn.”

85. During the events of April 30, 2025, Defendant Stein committed multiple crimes against Plaintiff JaJuan Wyckoff under Ohio law, including but not limited to Ohio Revised Code

sections 2921.12 (tampering with evidence), 2921.04 (intimidation of victim), 2921.32 (obstruction of justice), 4511.19 (drunk driving), 4511.20 (reckless driving), 2921.45 (interfering with civil rights including deprivations, conspiring and attempts), 2903.13 (assault), 2903.22 (menacing) and 4549.02 (fleeing the scene of an accident).

86. During the events of April 30, 2025, Defendants Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy committed multiple crimes against Plaintiff JaJuan Wyckoff under Ohio law, including but not limited to sections 2921.04 (intimidation of victim), 2921.32 (obstruction of justice), 2921.12 (tampering with evidence), 2921.45 (interfering with civil rights including depriving, conspiring and/or attempting), and 2923.03 (complicity, aiding abetting, accessory after the fact).

87. After the events of April 30, 2025, Defendant Stein attacked another suspect in September of 2025 when he actively crushed her shoeless feet for three minutes and struck her violently in the head multiple times after she had been arrested and was fully restrained in Defendant City of Brooklyn's police department building.

88. Defendant Stein has been criminally charged for the September of 2025 attack on the fully restrained woman.

89. In the course of aiding, abetting, and assisting Defendant Stein in the commission of his crimes, Defendants Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy all attempted, conspired and did in fact interfere with Plaintiff JaJuan Wyckoff's civil rights under the U.S. Constitution, the Ohio Constitution, the United States Code and the Ohio Revised Code, including but not limited to the First Amendment to the U.S. Constitution, the right to access the courts for both criminal and civil disputes under the Ohio Constitution and the U.S. Constitution, the right to due process and the right to redress grievances under the Fourth and Fourteenth

Amendments to the U.S. Constitution, Ohio state law (Article I, Section 16 of the Ohio Constitution), the Fourteenth Amendment to the U.S. Constitution's equal protection clause, and Ohio's Victims' Rights (Section 10a) under the Ohio Constitution.

90. Defendant Stein attempted, conspired and did in fact interference with Plaintiff JaJuan Wyckoff's civil rights, including but not limited to his Fourth and Fourteenth Amendment Rights under the U.S. Constitution to be free from unlawful seize/unlawful arrest and to be free from excessive force.

91. Plaintiff JaJuan Wyckoff's race is African American.

92. Defendants Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy's races are all Caucasian.

93. Defendants Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy actions and inactions described throughout this Complaint, including but not limited to interference, violation, conspiracy, and attempted violations of Plaintiff JaJuan's Wyckoff's federal and Ohio civil rights, were based in whole or based in part upon Plaintiff JaJuan's Wyckoff's race as African American.

94. Proof of an underlying criminal conviction is not required to maintain an action under Ohio Revised Code section 2307.60.

95. The "investigations" conducted on April 30, 2025 and after by Defendants Brenenstuhl, Molnar, Monroy, Mielke and Eschweiler were done in "bad faith", were grossly inadequate and were effectively meaningless.

96. The "investigation" conducted on April 30, 2025 by Defendants Brenenstuhl, Molnar, Monroy, Mielke and Eschweiler was done in violation of Ohio law.

97. The “investigation” conducted on April 30, 2025 by Defendants Brenenstuhl, Molnar, Monroy, Mielke and Eschweiler was a coordinated effort between the five of them to help Defendant Stein evade being questioned on camera, evade being formally questioned, evade being captured on body cameras, evade being sobriety checked while he sobered up, etc.

98. The “investigation” conducted on April 30, 2025 by Defendants Brenenstuhl, Molnar, Monroy, Mielke and Eschweiler included repeated attempts to illegally intimidate the victim of a crime (Plaintiff JaJuan Wyckoff) to stop speaking and leave the scene without filling out a statement, asking for an investigation and/or pressing charges against Defendant Stein.

99. The “investigation” conducted on April 30, 2025 by Defendants Brenenstuhl, Molnar, Monroy, Mielke and Eschweiler included assisting Defendant Stein as he continued to flee the scene of an accident during the entire time Plaintiff JaJuan Wyckoff was at the building asking the police for help and trying to exercise his civil and codified rights.

100. The “investigation” conducted on April 30, 2025 by Defendants Brenenstuhl, Molnar, Monroy, Mielke and Eschweiler was done while they were careful to turn off any recording device while talking to and/or in the visual sight of the alleged perpetrator (Defendant Stein) and was done with cell phone communications only to avoid any official record of what was discussed with the alleged perpetrator (Defendant Stein).

101. Plaintiff JaJuan Wyckoff even showed Defendants Brenenstuhl, Molnar and Monroy video of Defendant Stein fleeing the scene on his telephone camera and they still continued to assist Defendant Stein as he continued with his crimes.

102. The “investigation” conducted on April 30, 2025 by Defendants Brenenstuhl, Molnar, Monroy, Mielke and Eschweiler was done while they illegally harbored Defendant Stein inside the building.

103. In the months after the April 30, 2025 incident, Defendants Mielke and Eschweiler's additional "investigation" was done in bad faith, was grossly inadequate, and was effectively meaningless.

104. Defendant Mielke's additional "investigation" after April 30, 2025 was a ratification of Defendants Stein's unconstitutional acts against Plaintiff Wyckoff.

105. Defendant Mielke's additional "investigation" after April 30, 2025 was a clear and conscious statement as to the official policies that were in place on April 30, 2025 that governed Defendants Stein and all Brooklyn police officer conduct as discussed throughout this Complaint.

106. Evidence exists of Defendant Stein acting inappropriately on at least three other similar past incidents in the year 2023.

107. Evidence exists of Defendant Stein acting inappropriately after the events alleged in this Complaint in at least one similar incident that occurred just months after in September of 2025.

108. In the above referenced "after" incident, Defendant Stein violently attacked a fully restrained suspect who was already in custody.

109. In the above "after" incident, Defendant Mielke again as the final and chief policy maker stated that Defendant Stein's actions crushing the suspect's feet for three minutes and then employing an initial strike to the head were within Defendant City of Brooklyn's official use of force policy and other official policies.

110. In the above "after" incident, Defendant Stein was never disciplined for his actions crushing the suspect's feet for three minutes and then employing an initial strike to the head.

111. Incidents and statements made by final policy makers can serve as evidence of an official policy under 42 USC section 1983 even if they occurred after the incident in question.

112. The official use of force policies in place on April 30, 2025 remained in place and in effect throughout all of the year 2025, including but not limited to September of 2025.

113. The above “after” incident happened after the initial events of this Complaint, but the official statements of Defendant Mielke in that incident can serve as evidence of what the official policy was as to excessive force in the JaJuan Wyckoff incident.

114. Defendant City of Brooklyn and Defendant Mielke deemed the crushing of a restrained woman’s feet and striking her one time in the head while fully restrained in a restraint chair in the police department building to be fully lawful and within the official policies of Defendant City of Brooklyn that were in place and in effect throughout the year 2025.

115. The ratification, determination and report stating that the restrained woman did not have her civil rights violated and was not subjected to unlawful excessive force by having her feet crushed and striking her one time in the head was done by Defendant Mielke.

116. In the course of investigating the events alleged in this Complaint, Plaintiff JaJuan Wyckoff sent two public records requests to Defendant City of Brooklyn, on July 11, 2025 and August 6, 2025 respectively, seeking publicly available information on topics including but not limited to the use of force history and discipline records of the Defendant City of Brooklyn’s police department.

117. To date, Defendant City of Brooklyn Police Department has provided minimal responses (Plaintiff JaJuan Wyckoff estimates that less than 2% of the requested documents have been produced), including only the videos that had been previously released to the local media, three personnel files and seventeen pages of “unsubstantiated” citizen complaint documents in

response to the public records requests, which is a very small percentage of the requested documents.

118. The last responsive documents received from Defendant City of Brooklyn Police as to the two public records requests were on January 6, 2026, which is four months ago.

119. Even right up until the date of the filing of this Complaint, Defendant City of Brooklyn continues to try to assist, aid and abet Defendant Stein and continues to cover up its department wide policies, patterns, practices and customs of violating the constitutional rights of citizens by withholding lawfully request public documents, such as the annual reports on use of force incidents departmentwide that the Brooklyn Police Department patrol lieutenant is required to prepare in accordance with Brooklyn Police Department Policy 300.9.

120. One of the categories of documents requested in the public records request was reports or any other documents addressing and/or pertaining to any citizen complaints against any City of Brooklyn Police Officer from the year 2015 to the present for alleged unlawful force and/or any other alleged misconduct.

121. In partial response to the public records request for citizen complaints, Brooklyn Law Director Kevin Bulter responded via email that the Defendant City of Brooklyn maintains citizen complaints that are “substantiated” within officers’ personnel files and citizen complaints that are “unsubstantiated” within a separate file dating back to 2020.

122. Defendant City of Brooklyn only provided a grand total of three such “unsubstantiated” citizen complaints, which all dealt with Defendant Stein dated February 4, 2022, May 15, 2023 and June 5, 2025.

123. Based upon the production to the public records requests, Defendant City of Brooklyn claims to only have a total of three “unsubstantiated” citizen complaints for their folder

that holds such citizen complaints going back from the year 2026 to the year 2020, which is seven years.

124. Aside from the three “unsubstantiated” citizen complaints in seven years referenced above, Defendant City of Brooklyn had no other “unsubstantiated” citizen complaints dating back seven years to the year 2020.

125. Defendant City of Brooklyn has only produced three personnel files in response to the public records requests that, per Law Director Kevin Butler, should contain any “substantiated” citizen complaints.

126. Defendant Mielke’s personnel file contained no “substantiated” citizen complaints from his time as a Brooklyn Police Officer going back 31 years to his hired date in the year 1995.

127. Defendant Monroy’s personnel file contained no “substantiated” citizen complaints from his time as a Brooklyn Police Officer going back 3 years to his hired date in the year 2023.

128. Defendant Stein’s personnel file contained no “substantiated” citizen complaints from his time as a Brooklyn Police Officer going back 20 years to his hired date in the year 2006.

129. Defendant Stein’s personnel file does contain a notation from Defendant Eschweiler, which evidences that Defendant Stein has had many “substantiated” citizen complaints that Defendant City of Brooklyn has not properly documented and/or not preserved in accordance with policy and/or Ohio law.

130. Spcifically, Defendant Eschweiler noted in Defendant Stein’s personnel file the following, “Over the last two years I have also observed an intentional effort to improve his ability to communicate effectively with difficult persons reducing the number of citizen complaints. Over the course of the last year we have addressed his communication with suspects

during a burglary on 5/21/23, with the suspect of a Breaking/Entering on 8/1/23 and that with an intoxicated suspect on 9/10/23. At the time of that discussion we addressed the exercise of verbal deescalation skills to diffuse situations.”

131. The notation by Defendant Eschweiler was made in regards to Defendant Stein’s job performance in the year 2023.

132. The large number of citizen complaints from past years against Defendant Stein referred to by Defendant Eschweiler in the 2023 review were either never properly documented and/or destroyed as no “substantiated” citizen complaints exist in Defendant Stein’s personnel file (not a single one) and only one “unsubstantiated” citizen complaint exists for the year 2022.

133. Defendant City of Brooklyn’s failures on the issue of the citizen complaints detailed above are clear evidence of an official and/or de facto policy of not documenting and/or investigating citizen complaints leading to encouragement and/or toleration of the use of unconstitutional excessive force against citizens.

134. Defendant City of Brooklyn’s failures on the issue of the citizen complaints detailed above are clear evidence of non-existent and/or egregiously deficient training, discipline and supervision of their police officers leading to encouragement and/or toleration of the use of unconstitutional excessive force against citizens.

135. Defendant City of Brooklyn’s failures on the issue of the citizen complaints detailed above are clear evidence of a custom of not documenting and/or investigating citizen complaints leading to encouragement and/or toleration of the use of unconstitutional excessive force against citizens.

136. Defendant City of Brooklyn's failures on the issue of the citizen complaints detailed above are clear evidence ratification of police officer misconduct leading to encouragement and/or toleration of the use of unconstitutional excessive force against citizens.

137. Defendant Stein never received any additional training and/or retraining in regards to the deficiencies stated by Defendant Eschweiler in his 2023 review.

138. Defendant Stein never received any discipline for his unacceptable communication with suspects during a burglary on 5/21/23, with the suspect of a Breaking/Entering on 8/1/23 and/or with an intoxicated suspect on 9/10/23 as stated by Defendant Eschweiler in the 2023 review.

139. Defendant Stein should have received formal discipline for the incidents of 5/21/23, 8/1/23 and 9/10/23, including but not limited to a Form 12.27 Written Reprimands and Form 12.26 Records of Instruction and Cautioning (Verbal Warnings) in accordance with Defendant City of Brooklyn's formal written policy.

140. Defendants Stein's failure to de-escalate and acts of escalation during the incidents of 5/21/23, 8/1/23 and 9/10/23 were similar to the incident described in this Complaint.

141. Plaintiff JaJuan Wyckoff has lawfully requested the public records from the incidents of 5/21/23, 8/1/23 and 9/10/23 prior to the filing of this lawsuit via a formal written public records request dated August 6, 2025, but that request has been ignored by Defendant City of Brooklyn in violation of Ohio law.

142. The public records request described in the above paragraph included requests for documents such as use of force reports, incident reports and body camera footage from the incidents of 5/21/23, 8/1/23 and 9/10/23.

143. Plaintiff JaJuan Wyckoff sought and received medical care subsequent to April 30, 2025 for the injuries he sustained during his interactions with Defendant Stein that were caused by Defendant Stein's unlawful and illegal conduct.

THE PARTIES AND GENERAL ALLEGATIONS

144. Plaintiff Khadijah Wyckoff was the wife of JaJuan Wyckoff on April 30, 2025 and has remained so until the present day.

145. Plaintiffs Khadijah Wyckoff and JaJuan Wyckoff were lawfully married before April 30, 2025 and have remained so until this day.

146. Plaintiff JaJuan Wyckoff was at all times relevant to this action a resident of Cuyahoga County, Ohio, and a citizen of the State of Ohio.

147. Plaintiff Khadijah Wyckoff was at all times relevant to this action a resident of Cuyahoga County, Ohio, and a citizen of the State of Ohio.

148. Defendant City of Brooklyn is a unit of local government organized under the laws of the State of Ohio.

149. Defendant City of Brooklyn is a political subdivision under Ohio law.

150. Defendant City of Brooklyn is being sued in its official capacity.

151. Defendant City of Brooklyn operates the Brooklyn Police Department.

152. Defendant City of Brooklyn is a "person" under 42 USC section 1983 and at all times relevant to this case acted under color of law.

153. Defendant Scott Mielke is/was an Ohio law enforcement officer and is/was at all times relevant to this action the Chief of Defendant City of Brooklyn's police department. Defendant Mielke is a "person" under 42 USC section 1983 and at all times relevant to this case and acted under color of law. Defendant Mielke is sued in his individual capacity and in his

official capacity. Defendant Mielke was the Brooklyn Police Department's final policy maker with respect to the custom, practices, policies, procedures, ratifications, protocols, training, supervision and discipline at the Defendant City Brooklyn's police department. At all times relevant to this action Defendant Mielke was a supervisor for Defendant City of Brooklyn's police department.

154. Defendant Paul Stein is/was at an Ohio law enforcement officer, is/was an employee of the Defendant City of Brooklyn, a "person" under 42 USC section 1983, and acting under color of law during the time period detailed in this Complaint when he was on the property of and/or in the building of the Defendant City of Brooklyn's police department. Defendant Stein is sued in his individual capacity and in his official capacity for his actions and inactions as an Ohio law enforcement officer. During the time period detailed in this Complaint when he was on the property of and/or in the building of the Defendant City of Brooklyn's police department, Defendant Stein was a supervisor for Defendant City of Brooklyn's police department.

Defendant Paul Stein was not acting as a police officer, was not acting in the course and scope of his employment and was acting as a private citizen during the time period detailed in this Complaint when was he was operating his motor vehicle upon the public roadways and public highways prior to entering the parking lot and/or building of the City of Brooklyn Police Department.

155. Defendant Cindy Eschweiler is/was an Ohio law enforcement officer and was at all times relevant to this action an employee of the Defendant City of Brooklyn. Defendant Eschweiler is a "person" under 42 USC section 1983, was acting in the course of scope of her employment and at all times relevant to this case acted under color of law. Defendant

Eschweiler is sued in her individual capacity and in her official capacity. Defendant Eschweiler was a supervisor for Defendant City of Brooklyn's police department.

156. Defendant Brianna Molnar is/was an Ohio law enforcement officer and was at all times relevant to this action an employee of the Defendant City of Brooklyn. Defendant Molnar is a "person" under 42 USC section 1983, was acting in the course of scope of her employment and at all times relevant to this case acted under color of law. Defendant Molnar is sued in her individual capacity and in her official capacity. Defendant Molnar was a supervisor for Defendant City of Brooklyn's police department.

157. Defendant Morley Brenenstuhl is/was an Ohio law enforcement officer and was at all times relevant to this action an employee of the Defendant City of Brooklyn. Defendant Brenenstuhl is a "person" under 42 USC section 1983, was acting in the course of scope of his employment and at all times relevant to this case acted under color of law. Defendant Brenenstuhl is sued in his individual capacity and in his official capacity.

158. Defendant Reynaldo Monroy is/was an Ohio law enforcement officer and was at all times relevant to this action an employee of the Defendant City of Brooklyn. Defendant Monroy is a "person" under 42 USC section 1983, was acting in the course of scope of his employment and at all times relevant to this case acted under color of law. Defendant Monroy is sued in his individual capacity and in his official capacity.

159. All the individually Defendants in this case were at all relevant times acting within the course and scope of their employment with Defendant City of Brooklyn.

160. All Defendants are being sued in the official and individual capacities.

161. Defendant Stein was also acting as a private citizen during the time he was operating a motor vehicle as stated in this Complaint.

162. All of the actions and/or inactions performed by the individually named Defendants in this case were performed, conducted and/or omitted with negligence, gross negligence, malicious purpose, willfully, in bad faith, in a wanton or reckless manner, with deliberate indifference to safety and rights, in violation of clear and established laws and rights and/or intentionally.

163. All of the actions and inactions in this case performed by all of the Defendants were performed with deliberate indifference to an obvious need, in violation of a clearly established right and in violation of a clearly established law under 42 USC section 1983.

164. All Defendants' conduct, as described in this Complaint, was done maliciously or with conscious disregard for the rights of Plaintiffs and with a great probability of causing harm, and/or was done maliciously and/or by aggravated or egregious fraud by agents or servants of all Defendants, who, as principals or masters, knowingly authorized, participated in, or ratified those actions and/or omissions, for which all Defendants are liable.

165. All Defendants conducted activity in Cuyahoga County giving rise to some or all of the claims at issue in this lawsuit.

166. Several and/or all of the claims for relief in this lawsuit arose, whole or in part, in Cuyahoga County.

167. The material events alleged in this Complaint occurred in or around Cuyahoga County, Ohio.

168. Personal jurisdiction is proper over Defendants under ORC section 2307.382, including but not limited to sections 2307.382(A)(1) and/or (3).

169. Venue is proper under Ohio Civil Rule 3(C)(1), (3) and/or (6).

170. This Court is a court of general jurisdiction over the claims presented herein, including all subject matters of this Complaint.

171. Plaintiffs are entitled to punitive damages and attorneys' fees against all Defendants.

**FIRST CAUSE OF ACTION: PLAINTIFF JAJUAN WYCKOFF'S
42 USC SECTION 1983 UNLAWFUL USE OF EXCESSIVE FORCE CLAIM
AGAINST DEFENDANT STEIN**

172. Plaintiffs restate and reaver each and every other allegation contained in this Complaint as if fully restated herein.

173. Defendant Stein intentionally and maliciously applied and threatened to apply unlawful and unnecessary force against Plaintiff JaJuan Wyckoff.

174. Defendant Stein has, under color of law, deprived Plaintiff JaJuan Wyckoff of rights, privileges, and immunities secured to him by the United States Constitution including the prohibition on unreasonable searches/seizure, due process and the prohibition against the use of unlawful excessive force contained in the Fourth Amendment and Fourteenth Amendments to the United States Constitution.

175. Defendant Stein is liable to Plaintiff JaJuan Wyckoff for his unlawful actions by virtue of 42 USC section 1983.

176. Defendant Stein owed a duty of care to Plaintiff JaJuan Wyckoff that he breached leading to damages.

177. As a direct and proximate result of Defendant Stein's unlawful conduct, Plaintiff JaJuan Wyckoff suffered and will continue to suffer damages, including but not limited to economic, compensatory, non-compensatory, emotional distress, pain and suffering.

**SECOND CAUSE OF ACTION: PLAINTIFF JAJUAN WYCKOFF'S
42 USC SECTION 1983 FALSE ARREST AND UNLAWFUL SEIZURE CLAIM
AGAINST DEFENDANT STEIN**

178. Plaintiffs restate and reaver each and every other allegation contained in this Complaint as if fully restated herein.

179. Defendant Stein intentionally and maliciously caused Plaintiff JaJuan Wyckoff to be falsely arrested and/or unlawfully seized by his use of unlawful force against Plaintiff JaJuan Wyckoff.

180. Defendant Stein has, under color of law, deprived Plaintiff JaJuan Wyckoff of rights, privileges, and immunities secured to him by the United States Constitution including the prohibition on unreasonable searches/seizure, due process and the prohibition against the use of unlawful excessive force contained in the Fourth Amendment and Fourteenth Amendments to the United States Constitution.

181. Defendant Stein is liable to Plaintiff JaJuan Wyckoff for his unlawful actions by virtue of 42 USC section 1983.

182. Defendant Stein owed a duty of care to Plaintiff JaJuan Wyckoff that he breached leading to damages.

183. As a direct and proximate result of Defendant Stein's unlawful conduct, Plaintiff JaJuan Wyckoff suffered and will continue to suffer damages, including but not limited to economic, compensatory, non-compensatory, emotional distress, pain and suffering.

**THIRD CAUSE OF ACTION: PLAINTIFF JAJUAN WYCKOFF'S ASSAULT /
BATTERY UNDER OHIO LAW CLAIMS AGAINST DEFENDANT STEIN**

184. Plaintiffs restate and reaver each and every other allegation contained in this Complaint as if fully restated herein.

185. Defendant Stein intentionally and maliciously applied and threatened to apply unlawful and unnecessary force against Plaintiff JaJuan Wyckoff.

186. Defendant Stein is liable to Plaintiff JaJuan Wyckoff for his unlawful actions by virtue of Ohio law for civil assault and civil battery.

187. Plaintiff JaJuan Wyckoff did not consent to any of the force applied to him and/or to the threat of force being applied to him.

188. Defendant Stein owed a duty of care to Plaintiff JaJuan Wyckoff that he breached leading to damages.

189. As a direct and proximate result of Defendant Stein's unlawful conduct, Plaintiff JaJuan Wyckoff suffered and will continue to suffer damages, including but not limited to economic, compensatory, non-compensatory, emotional distress, pain and suffering.

**FOURTH CAUSE OF ACTION: PLAINTIFF JAJUAN WYCKOFF'S
NEGLIGENT/INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS UNDER
OHIO LAW CLAIMS AGAINST DEFENDANTS STEIN, MIELKE, ESCHWEILER,
BRENNSTUHL, MOLNAR AND MONROY**

190. Plaintiffs restate and reaver each and every other allegation contained in this Complaint as if fully restated herein.

191. Defendants Stein, Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy subjected Plaintiff JaJuan Wyckoff to negligent, reckless and intentional emotional distress in violation of Ohio law.

192. Defendants Stein, Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy acted with extreme, outrageous conduct causing serious mental harm.

193. Defendants Stein, Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy intended such conduct to inflict emotional distress and/or severe emotional distress upon Plaintiff JaJuan

Wyckoff and knew or should have known that their conduct would cause Plaintiff JaJuan Wyckoff severe and serious emotional distress.

194. Defendants Stein, Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy conduct did, in fact, cause such emotional distress, including but not limited to serious and severe mental, emotional, and psychological injuries and damages.

195. Defendants Stein, Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy conduct was so outrageous and extreme in degree as to go beyond all bounds of decency.

196. Defendants Stein, Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy are liable to Plaintiff JaJuan Wyckoff for their unlawful actions by virtue of Ohio law for negligent and intentional infliction of emotional distress.

197. Defendants Stein, Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy owed a duty of care to Plaintiff JaJuan Wyckoff that they breached leading to damages.

198. As a direct and proximate result of Defendants Stein, Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy's unlawful conduct, Plaintiff JaJuan Wyckoff suffered and will continue to suffer damages, including but not limited to economic, compensatory, non-compensatory, emotional distress, pain and suffering.

**FIFTH CAUSE OF ACTION: PLAINTIFF KHADIJAH AND JAJUAN WYCKOFF'S
NEGLIGENT / RECKLESS OPERATION OF MOTOR VEHICLE CLAIMS UNDER
OHIO LAW AGAINST DEFENDANT STEIN**

199. Plaintiffs restate and reaver each and every other allegation contained in this Complaint as if fully restated herein.

200. Defendant Stein unlawfully struck the motor vehicle being driven by Plaintiff JaJuan Wyckoff with his truck that Defendant Stein's was operating in a negligent and/or reckless manner in violation of criminal and civil law.

201. Defendant Stein is liable to Plaintiffs JaJuan Wyckoff and Khadijah Wyckoff by virtue of Ohio law for negligence and reckless conduct.

202. Defendant Stein owed Plaintiffs JaJuan Wyckoff and Khadijah Wyckoff a duty of ordinary care in operating his motor vehicle and breached said duty when he negligently, recklessly and maliciously operated his motor vehicle violently striking the motor vehicle being operated by Plaintiff JaJuan Wyckoff on a public roadway.

203. Defendant Stein's operation of the motor vehicle was performed with malicious purpose, in bad faith, or in a wanton or reckless manner when he struck the motor vehicle operated by Plaintiff Wyckoff.

204. As a direct and proximate result of Defendant Stein's unlawful conduct, Plaintiffs JaJuan Wyckoff and Khadijah Wyckoff suffered and will continue to suffer damages, including but not limited to economic, compensatory, non-compensatory, emotional distress, pain and suffering.

205. Defendant Stein is liable to Plaintiff Khadijah Wyckoff as the vehicle he unlawfully struck belonged to and/or was owned by her and/or her husband.

206. As a direct and proximate result of the collision caused by the negligent, reckless and malicious driving of Defendant Stein, Plaintiffs have suffered personal injuries some of which are permanent in nature; have suffered pain and suffering which will continue indefinitely into the future; have incurred expenses for medical care administered to Plaintiff JaJuan Wyckoff and treatment and will incur additional expenses in the future; have experienced mental anguish and emotional distress which will continue indefinitely in the future; have sustained property damage including but not limited to damages to their motor vehicle; and their ability to live and enjoy a normal happy life has been impaired.

SIXTH CAUSE OF ACTION: PLAINTIFFS JAJUAN WYCKOFF AND KHADIJAH WYCKOFF'S CONSORTIUM CLAIMS UNDER OHIO LAW AGAINST DEFENDANTS

207. Plaintiffs restate and reaver each and every other allegation contained in this Complaint as if fully restated herein.

208. At all times relevant hereto, Plaintiff Khadijah Wyckoff was the lawful spouse of Plaintiff JaJuan Wyckoff.

209. Defendants are liable to Plaintiffs JaJuan Wyckoff and Khadijah Wyckoff by virtue of Ohio's consortium law.

210. Defendants Stein, Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy owed a duty of care to Plaintiffs JaJuan Wyckoff and Khadijah Wyckoff that they breached leading to damages.

211. As a direct and proximate result of the collision caused by Defendant Stein's negligent/reckless operation of a motor vehicle under Ohio law, the assault upon Plaintiff JaJuan Wyckoff under Ohio law, the battery upon Plaintiff JaJuan Wyckoff under Ohio law and all of the other Ohio law causes of action stated in this Complaint against Defendants, Plaintiffs JaJuan Wyckoff and Khadijah Wyckoff have suffered a loss of consortium and has been deprived of the society, companionship, assistance, and normal marital relations with his/her spouse.

212. As a proximate result of the wrongful acts (both civil and criminal) of the Defendants, Plaintiffs JaJuan Wyckoff and Khadijah Wyckoff have suffered, and will continue to suffer in the future, loss of consortium, including the loss of services, society, companionship, affection, comfort, love, guidance, solace, and counsel, compensatory damages, non-compensatory, damages emotional distress damages, and pain and suffering damages.

**SEVENTH CAUSE OF ACTION: PLAINTIFF JAJUAN WYCKOFF'S CIVIL ACTION
FOR DAMAGES FROM CRIMINAL ACT UNDER OHIO REVISED CODE SECTION
2307.60 AGAINST DEFENDANTS STEIN, MIELKE, ESCHWEILER, BRENNSTUHL,
MOLNAR AND MONROY**

213. Plaintiffs restate and reaver each and every other allegation contained in this Complaint as if fully restated herein.

214. Plaintiff JaJuan Wyckoff was injured in person and/or property by the criminal acts of Defendants Stein, Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy and may recover damages for these injuries under Ohio Revised Code section 2307.60.

215. Defendants Stein, Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy are liable to Plaintiff JaJuan Wyckoff by virtue of Ohio Revised Code section 2307.60.

216. Defendants Stein, Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy owed a duty of care to Plaintiff JaJuan Wyckoff that they breached leading to damages.

217. As previously stated and now restated here for convenience, Defendant Stein committed multiple crimes against Plaintiff JaJuan Wyckoff under Ohio law, but not limited to Ohio Revised Code sections 2921.12 (tampering with evidence), 2921.04 (intimidation of victim), 2921.32 (obstruction of justice), 4511.19 (drunk driving), 4511.20 (reckless driving), 2921.45 (interfering with civil rights including deprivations, conspiring and attempts), 2903.13 (assault), 2903.22 (menacing) and 4549.02 (fleeing the scene of an accident).

218. As previously stated and now restated here for convenience, Defendants Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy committed multiple crimes against Plaintiff JaJuan Wyckoff under Ohio law, including but not limited to Ohio Revised Code sections 2921.04 (intimidation of victim), 2921.32 (obstruction of justice), 2921.12 (tampering with evidence, 2921.45 (interfering with civil rights including deprivations, conspiring and attempts), and 2923.03 (complicity, aiding abetting, accessory after the fact).

219. As previously stated and now restated here for convenience, Defendants Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy all attempted, conspired and did in fact interfere with Plaintiff JaJuan Wyckoff's civil rights under the U.S. Constitution, the Ohio Constitution, the United States Code and the Ohio Revised Code, including but not limited to the First Amendment to the U.S. Constitution, the right to access to the courts for both criminal and civil disputes, the right to due process and the right to redress grievances under both federal law (Fourth and Fourteenth Amendments to the U.S. Constitution) and Ohio law, Ohio state law (Article I, Section 16 of the Ohio Constitution), the Fourteenth Amendment to the U.S. Constitution equal protection clause, the Ohio Revised Code and Ohio's Victims' Rights (Section 10a) under the Ohio Constitution.

220. As previously stated and now restated here for convenience, Defendant Stein attempted, conspired and did in fact interference with Plaintiff JaJuan Wyckoff's civil rights, including but not limited to his Fourth and Fourteenth Amendment Rights under the U.S. Constitution to be free from unlawful seize/unlawful arrest and to be free from excessive force and the other rights stated in the above paragraph to this Complaint.

221. As a direct and proximate result of Defendants Stein, Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy's conduct, Plaintiff JaJuan Wyckoff suffered and will continue to suffer damages, including but not limited to economic, compensatory, non-compensatory, emotional distress, pain and suffering.

EIGHTH CAUSE OF ACTION: PLAINTIFF JAJUAN WYCKOFF'S 42 USC SECTION 1983 SUPERVISOR LIABILITY AND/OR DIRECT INVOLVEMENT CLAIMS AGAINST DEFENDANTS MIELKE, ESCHWEILER AND MOLNAR

222. Plaintiffs restate and reaver each and every other allegation contained in this Complaint as if fully restated herein.

223. On April 25, 2025, there were four supervisors on the scene directly participating in the events outside of and inside of the police building, including Defendants Stein, Eschweiler, Molnar and Mielke.

224. A final policymaker can be liable if they ratify a subordinate's unconstitutional action and the basis for it, effectively turning it into official policy.

225. Under 42 USC section 1983, a claim of personal liability for a failure to train, discipline and/or supervise differs from 42 USC section 1983 claim against a municipality for a failure to train, discipline and/or supervise.

226. This cause of action is for personal liability against Defendants Eschweiler, Molnar and Mielke.

227. Defendants Eschweiler, Molnar and Mielke owed a duty to Plaintiff JaJuan Wyckoff that they violate leading to damages.

228. In order to establish personal liability for a failure to train, discipline and/or supervise there must be a showing that the supervisor encouraged the specific incident of misconduct or in some other way directly participated in it, as is alleged in this Complaint.

229. A plaintiff must show that a supervisory official at least implicitly authorized, approved or knowingly acquiesced in the unconstitutional conduct of the offending officer in order to establish personal liability for a failure to train, discipline and/or supervise, as is alleged in this Complaint.

230. Defendants Eschweiler, Molnar and Mielke's conduct evidences that they all least implicitly authorized, approved or knowingly acquiesced in the unconstitutional conduct of the offending officer and/or directly participated in it and/or encouraged it.

231. "Implicit authorization" and "knowing acquiescence" require allegations of affirmative conduct beyond mere failure to act, which is clearly present in this case based upon the conduct of Defendants Mielke, Eschweiler and Molnar stated in this Complaint.

232. The U.S. Sixth Circuit Court of Appeals has stated that allegations that defendants actively assisted subordinates to cover up constitutional violations after their occurrence even without the supervisor's knowledge or participation, are sufficient to establish supervisory liability claim, which is the case here.

233. Defendants Mielke, Eschweiler and Molnar are personally liable to Plaintiff JaJuan Wyckoff for their failures to train, supervise and/or discipline.

234. Defendants Mielke, Eschweiler and Molnar are also personally liable to Plaintiff JaJuan Wyckoff for directly participating in the infractions/violations detailed in this Complaint.

235. Defendants Mielke, Eschweiler and Molnar are also personally liable to Plaintiff JaJuan Wyckoff because after learning of violations / unconstitutional conduct, they failed to remedy the unlawful actions / wrongful actions both during the events of April 30, 2025 in real time while they directly participated in them and in the subsequent weeks.

236. Defendants Mielke, Eschweiler and Molnar are also personally liable to Plaintiff JaJuan Wyckoff for being grossly negligent / reckless in managing subordinates who caused the unlawful conditions or events.

237. Defendants Mielke, Eschweiler and Molnar are also personally liable to Plaintiff JaJuan Wyckoff for their own culpable action or inaction in the training, supervision, or control of the subordinates both at the scene on April 30, 2025 and in the subsequent weeks.

238. As a direct and proximate result of Defendants Mielke, Eschweiler and Molnar's conduct, Plaintiff JaJuan Wyckoff suffered and will continue to suffer damages, including but not limited to economic, compensatory, non-compensatory, emotional distress, pain and suffering.

**NINTH CAUSE OF ACTION: PLAINTIFF JAJUAN WYCKOFF'S
42 USC SECTION 1983 MONELL LIABILITY AGAINST CLAIMS
DEFENDANTS CITY OF BROOKLYN AND MIELKE**

239. Plaintiffs restate and reaver each and every other allegation contained in this Complaint as if fully restated herein.

240. All Monell claims alleged in this Complaint are stated against both Defendant City of Brooklyn and Defendant Mielke in their official capacities.

241. For purposes of discussing this Ninth Cause of Action, Defendants City of Brooklyn and Scott Mielke may collectively be referred to as "Defendant City of Brooklyn" in this section of the Complaint.

242. Defendant City of Brooklyn had systemic failures and patterns of unlawful conduct that directly led and/or caused the constitutional violations against Plaintiff JaJuan Wyckoff.

243. In ratifying the conduct of Defendant Stein, Defendant City of Brooklyn acted consistently with its policies, customs, and usages with respect to the policies stated in this Complaint.

244. Defendant City of Brooklyn was deliberately indifferent to obvious needs, clearly established constitutional rights and clearly established laws.

245. A plaintiff stating a Monell claim may rely on a single incident to establish liability in a narrow range of circumstances if the risk of the constitutional violation is so obvious

or foreseeable that it amounts to deliberate indifference by the municipality, as is the case stated in this Complaint.

246. A single incident may establish liability if accompanied by a showing that the government has failed to take action to handle an obvious potential for a constitutional violation, as is the case stated in this Complaint.

247. Plaintiff JaJuan Wyckoff's claims under Monell can be proven both under a single incident theory and under a more standard theory as this Complaint evidences multiple similar incidents.

248. Defendant City of Brooklyn's police officers came to believe that they may violate the civil rights of members of the public without fear of consequences from their superiors in the police department and/or from Defendant City of Brooklyn itself and this specifically/directly caused the individually named Defendants in this case (and the entire City of Brooklyn police force) to believe that they could abuse and violate Plaintiff JaJuan Wyckoff's constitutional rights (and the constitutional rights of all private citizens) and cover up what they did without fear of training, supervision, discipline and/or oversight of any kind.

249. This Complaint alleges some deficiencies in police procedure utilized by the employee police officers of Defendant City of Brooklyn that can only be attributed to policies (or lack thereof), which, in turn, can only be attributed to Defendant City of Brooklyn as the entity with authority to institute and/or implement policies.

250. Plaintiff JaJuan Wyckoff states multiple claims for relief under 42 USC section 1983 for multiple Monell claims as discussed below.

251. Plaintiff JaJuan Wyckoff states Monell claims under four distinct theories: (1) official policy, (2) ratification by final policy maker, (3) customs and widespread practices, and

(4) failure to train/supervise/discipline. All theories stated below evidence that they were the driving force behind the constitutional violations.

252. Under the two-year statute of limitations, Plaintiff JaJuan Wyckoff has until April 30, 2027 to state all of his Monell claims under 42 USC section 1983, which have not yet all been stated due to Defendant City of Brooklyn's continued violations of Ohio public records laws.

Official Policy

253. Plaintiffs restate and reaver each and every other allegation contained in this Complaint as if fully restated herein.

254. Defendant Mielke's investigatory report stated, "No department policy violations were found in Stein's conduct or behavior during the incident while in Brooklyn."

255. Official policy can arise in various forms for purposes of Monell liability.

256. Defendant City of Brooklyn ignored known and/or obvious risks of constitutional violations as to the Monell claims stated in this Complaint.

257. Official policy exists in the form of written policy statements, ordinances, or regulations, but also may arise from statements (both written and oral) by a final policymaker.

258. Defendant City of Brooklyn had official policies and/or de facto official policies allowing the use of force against compliant suspects, allowing the use of force against non-resisting suspects, allowing the use of force against suspects before even attempting a verbal warning, allowing the use of force against suspects that was made necessary by the police officer improperly escalating the situation, allowing the use of force against suspects that was made necessary by the police officer improperly failing to deescalate the situation, allowing the affirmative act of not investigating its police officers misconduct, allowing the affirmative act of

covering up its police officers misconduct, allowing the Blue Code of Silence to exist in not reporting the misconduct of police officers by other police officers, allowing the use of force against any suspect encountered by a police officer as long as the unlawful force does not result in a visible injury, allowing fellow officers to not have to report the use of force employed by fellow officers as long as he force does not result in a visible injury, allowing citizen complaints to be ignored, not documents, destroyed and/or otherwise ignored, etc. that all directly led to and were the driving force behind the constitutional violations in this case.

259. For purposes of Monell liability, official policies are not required to be in writing.

260. For official policy claims under Monell, a plaintiff need only provide evidence of a written ordinance, regulation, policy statement, or formal decision adopted by authorized policymakers, which Plaintiff JaJuan Wyckoff has done.

261. Monell liability exists for Defendant City of Brooklyn because its final policymaker (Defendant Mielke) officially adopted, approved, and ratified a policy—written and/or unwritten—that caused / directly led to the constitutional violations to Plaintiff JaJuan Wyckoff.

262. A single decision by an official with final authority can establish liability if it represents a deliberate choice from alternatives as it does in this Complaint.

263. The controlling case law as to a Monell claim in Ohio does state any limitation on the use of after the fact incidents as proof of official policy in the same way it can sometimes limit such after incidents for claims alleging Monell liability under theories such as custom and/or ratification.

264. The U.S. Sixth Circuit Court of Appeals has held that plaintiffs establishing Monell claims are only required to show that there were formal rules or understandings—often

but not always committed to writing—that were intended to, and did, establish fixed plans of action to be followed under similar circumstances consistently and over time, as is the case with the facts alleged throughout this Complaint.

265. For purposes of Monell liability, official statements by the final policy maker that occurred before, during and after the constitutional violation are admissible evidence to establish an official policy as it existed at the time of the constitutional violation.

266. Defendant City of Brooklyn's chief and final policy maker from the time of the events alleged in this Complaint until the present has been Defendant Mielke.

267. Defendant Mielke's oral statements and/or actions and inactions alleged throughout this Complaint establish Defendant City of Brooklyn's formal official and/or de facto official policies.

268. Defendant City of Brooklyn's policies as to the Monell claims stated in this Complaint were and are still official, express, de facto and/or implied.

269. Defendant City of Brooklyn had and continues to have an official policy of utilizing unconstitutional excessive force against non-actively resisting suspects and/or suspects who did not pose a physical threat to officers and/or the public that led to and was the driving force behind the constitutional violations against Plaintiff JaJuan Wyckoff.

270. Defendant City of Brooklyn had and continues to have an official policy of utilizing unconstitutional excessive force against non-actively resisting suspects and/or suspects who did not pose a physical threat to officers and/or the public before ever attempting to give a verbal warning in situations where a verbal warning is required and warranted that led to and was the driving force behind the constitutional violations against Plaintiff JaJuan Wyckoff.

271. Defendant City of Brooklyn had and continues to have an official policy of not investigating and/or disciplining police officer failures to de-escalate and/or improperly escalate situations that led to and was the driving force behind the constitutional violations against Plaintiff JaJuan Wyckoff.

272. Defendant City of Brooklyn had and continues to have an official policy of not investigating and/or disciplining officers for the unconstitutional use of force against non-actively resisting suspects and/or suspects who did not pose a physical threat to officers and/or the public that led to and was the driving force behind the constitutional violations against Plaintiff JaJuan Wyckoff.

273. Defendant City of Brooklyn had and continues to have an official policy of allowing, encouraging and/or ratifying the unconstitutional use of force against non-actively resisting suspects and/or suspects who did not pose a physical threat to officers and/or the public that led to and was the driving force behind the constitutional violations against Plaintiff JaJuan Wyckoff.

274. Defendant City of Brooklyn had and continues to have an official policy of failing to train, discipline, and/or supervise officers in the use of force against non-actively resisting suspects and/or suspects who did not pose a physical threat to officers and/or the public that led to and was the driving force behind the constitutional violations against Plaintiff JaJuan Wyckoff.

275. Defendant City of Brooklyn had and continues to have an official policy of not properly accepting, failing to document, failing to retain, purposely destroying, failing to investigate, failing to supervise and/or otherwise ignoring citizen complaints that led to and was the driving force behind the constitutional violations against Plaintiff JaJuan Wyckoff.

276. Defendant City of Brooklyn had and continues to have an official policy of allowing its police officers to utilize excessive force against suspects and/or not investigate the alleged use of excessive force by its police officers as long as there is no visible injury as result of the force that led to and was the driving force behind the constitutional violations against Plaintiff JaJuan Wyckoff.

277. Defendant City of Brooklyn is liable under Monell due to the official policy theory of liability by virtue of its official policies, including but not limited to those official policies stated in this Complaint.

Ratification by Final Policy Maker

278. Plaintiffs restate and reaver each and every other allegation contained in this Complaint as if fully restated herein.

279. Under the Monell doctrine, a municipality can be held liable under 42 USC section 1983 for a single incident of constitutional violation if the plaintiff can demonstrate that the authorized policymaker ratified the subordinate's actions, as is the case here.

280. Defendant Mielke repeatedly and expressly ratified the unconstitutional conduct of Defendant Stein both at the scene while the events were unfolding that he was actively participating in and in his subsequent “investigation.”

281. A final policymaker (Defendant Mielke) approved Defendant Stein’s decision and the basis for it, knowing that the action violated Plaintiff JaJuan Wyckoff’s constitutional rights.

282. Defendant Mielke’s approval signifies a deliberate choice by the final policymaker to adopt his subordinate's action as the official policy of the municipality (Defendant City of Brooklyn).

283. Ratification liability under Monell may serve to turn a single incident of misconduct into an official policy or custom of the municipality, making the municipality liable under the Monell doctrine, as is this case regarding the facts of this Complaint.

284. A single decision by a policymaker to ratify a subordinate's conduct may be sufficient to support Monell liability, but only if the ratification was a conscious, affirmative choice, as is this case here.

285. Defendant Mielke's ratification was a conscious affirmative choice on April 30, 2025 when the events were unfolding that he directly participated in and in the subsequent time period when he "investigated" further.

286. A plaintiff can establish municipal liability by showing that the municipality ratifies the unconstitutional acts of its employees by failing to meaningfully investigate and punish allegations of unconstitutional conduct as was the case here.

287. The U.S. Sixth Circuit Court of Appeals has held that police officers may have final, unreviewable authority to act, effectively, as a final policymaker unconstrained by the official policies of superiors as was the case here.

288. Defendant City of Brooklyn ratified the unconstitutional actions alleged as it completely failing to investigate in good faith and/or by approving an investigation that was so inadequate as to constitute ratification in and of itself.

289. The ratification theory under Monell does not require proof of a pattern, custom or past similar incidents.

290. Ratification of a single violative act is enough for municipal liability to attach if an official acting with the final decision-making authority ratifies the unconstitutional acts of its

employees by failing to meaningfully investigate and punish allegations of unconstitutional conduct, as is the case here.

291. The U.S. Sixth Circuit Court of Appeals has held that municipal liability may attach when an official with final decision-making authority and a duty to know and act upon unconstitutional conduct fails to investigate or correct the unconstitutional conduct as is the case here.

292. Defendant Mielke made clear and conscious choices to ratify Defendant Stein's unlawful behavior both during his participation in the events on April 30, 2025 and subsequently with his lack of a meaningful, good faith investigation that led to the official report exonerating Defendant Stein of violating any departmental policies and finding that Defendant Stein did not violate Plaintiff JaJuan Wyckoff's constitutional rights.

293. Defendant City of Brooklyn is liable under Monell due to the ratification theory of liability.

Failure to Train/Supervise/Discipline

294. Plaintiffs restate and reaver each and every other allegation contained in this Complaint as if fully restated herein.

295. There were four supervisors present at the scene on April 30, 2025 who directly participated in the events that led to Plaintiff JaJuan Wyckoff's constitutional rights being violated, namely Defendants Stein, Molnar, Eschweiler and Mielke.

296. Prior to and subsequent to April 30, 2025, Defendants Mielke and Eschweiler had the opportunity to re-train Defendant Stein due to his unlawful use of excessive force and other deficiencies but failed to do, just as they had after the multiple other similar incidents.

297. Prior to and subsequent to April 30, 2025, Defendants Mielke and Eschweiler had the opportunity to properly supervise Defendant Stein due to his unlawful use of excessive force and other deficiencies but failed to do so just as they had after the multiple other similar incidents.

298. Prior to and subsequent to April 30, 2025, Defendants Mielke and Eschweiler had the opportunity to properly investigate and/or discipline Defendant Stein due to his unlawful use of excessive force and other deficiencies but failed to do so, just as they had after the multiple other similar incidents.

299. Defendant Stein, the suspect in the crimes reported by Plaintiff JaJuan Wyckoff, was a supervisor, a reviewer of excessive force cases by other police officers within the police department and a trainer for Defendant City of Brooklyn.

300. During the events of April 30, 2025, it was clearly evident that training, supervision and/or discipline were non-existent and/or grossly deficient as evidenced by the actions and/or inactions of the officers, including but not limited to Defendant Stein's actions, the fact that Defendants Brenenstuhl, Molnar and Monroy stated and/or agreed on video that they believed if they could not see an injury that no unlawful force was utilized, the completely corrupt and inappropriate "investigation" that took place in questioning of the suspect to a crime (Defendant Stein), the turning off of police body cameras, the failure to activate police body cameras, the use of cell phones, etc.

301. Defendant City of Brooklyn had notice that the training, supervision and/or discipline of its police officers was deficient and likely to cause injury but ignored it.

302. Defendant City of Brooklyn had failed to train, supervise and/or discipline its employee police officers to handle recurring situations presenting an obvious potential for

constitutional violations, which were the driving forces behind the constitutional violations against Plaintiff JaJuan Wyckoff.

303. The inadequacies in training, supervision and discipline were all closely related to and/or actually caused the injuries to Plaintiff JaJuan Wyckoff.

304. Defendant City of Brooklyn is liable under Monell due to the failure to train, discipline and/or supervise theory of liability.

Customs and Widespread Practices

305. Plaintiffs restate and reaver each and every other allegation contained in this Complaint as if fully restated herein.

306. A claim against a municipality for customs and widespread practices under Monell requires the existence of a clear and persistent pattern of illegal activity, notice or constructive notice on the part of the municipality, the municipality's tacit approval of the unconstitutional conduct, such that their deliberate indifference in their failure to act can be said to amount to an official policy of inaction, and that the municipality's custom was the moving force or direct causal link in the constitutional deprivation, as is the case here.

307. Official policy exists in the form of written policy statements, ordinances, or regulations, but also may arise in the form of a widespread practice that is so common and well-settled as to constitute a custom that fairly represents municipal policy, as stated throughout this Complaint.

308. Plaintiff JaJuan Wyckoff states that all of the facts that established Monell liability under the prior three theories discussed above also establish liability under the customs theory.

309. These customs of Defendant City of Brooklyn led to and were the driving force behind the constitutional violations against Plaintiff JaJuan Wyckoff.

310. These customs of Defendant City of Brooklyn exhibited its tolerance and/or acquiescence of federal rights violations just as the official policy, ratification and failure to train/supervise/discipline theories of liability stated throughout this Complaint.

311. Defendant City of Brooklyn is liable under Monell due to the customs and widespread practices theory of liability.

312. Defendant City of Brooklyn is separately liable to Plaintiff JaJuan Wyckoff by virtue of each of the multiple 42 USC section 1983 Monell claims stated above under the various theories.

313. As a direct and proximate result of Defendant City of Brooklyn's conduct as detailed in these Monell claims, Plaintiff JaJuan Wyckoff suffered and will continue to suffer damages, including but not limited to economic, compensatory, non-compensatory, emotional distress, pain and suffering.

**TENTH CAUSE OF ACTION: PLAINTIFFS' CAUSE OF ACTION FOR
DECLARATORY JUDGMENT AGAINST DEFENDANT CITY OF BROOKLYN**

314. Plaintiffs restate and reaver each and every other allegation contained in this Complaint as if fully restated herein.

315. There is a real controversy between the Plaintiffs and Defendants regarding the operation of Defendant City of Brooklyn's police department.

316. This controversy is justiciable.

317. This declaratory judgment may also serve as the basis for a permanent injunction.

318. Plaintiffs seek a declaratory judgment that compels Defendant City of Brooklyn to formally discipline all of the police officers named in this Complaint as Defendants due to their illegal and unlawful conducted alleged in this Complaint.

319. Plaintiffs seek a declaratory judgment that compels Defendant City of Brooklyn to formally demote Defendants Mielke, Eschweiler and Molnar in rank due to their illegal and unlawful conducted alleged in this Complaint.

320. Plaintiffs seek a declaratory judgment that compels Defendant City of Brooklyn to formally now send this matter to a special prosecutor for determination if Defendant Stein should be criminally charged due to his conducted alleged in this Complaint.

321. Plaintiffs seek a declaratory judgment that compels Defendant City of Brooklyn to formally now send this matter to a special prosecutor for determination if Defendants Mielke, Eschweiler, Brenenstuhl, Molnar and Monroy should be criminally charged due to their conducted alleged in this Complaint.

CONCLUSION

WHEREFORE, Plaintiffs JaJuan Wyckoff and Khadijah Wyckoff respectfully request that the Court: enter judgment in their favor on all claims; award them compensatory damages sufficient to make them whole for their injuries, damage, and loss; award them non-compensatory damages; award them emotional distress damages; award them pain and suffering damages; award them punitive damages to the extent permitted by law; issue a declaratory judgment in their favor; enter a permanent injunction to enforce their declaratory judgment demand; award them reasonable attorneys' fees and costs of suit; award them any other relief as the Court deems just and proper. All of these damages are in excess of \$25,000. Some or all of Plaintiffs' damages will continue to accrue indefinitely into the future.

JURY DEMAND

Plaintiffs JaJuan Wyckoff and Khadijah Wyckoff request a jury trial on all issues and all claims triable by a jury in this Complaint.

Respectfully submitted,

/s/ Keith Hansbrough

Keith Hansbrough, Esq. (0072671)
THE HANSBROUGH LAW FIRM, LLC
20525 Center Ridge Road, Suite 200
Rocky River, Ohio 44116
T (216) 290-0292 F (216) 912-9238
Email: keith@hansbrough-law.com

Clarissa A. Smith (0095891)
The Bradley Building
1220 West 6th Street, Suite 308
Cleveland, Ohio 44113
T (440) 781-9307 F (216) 274-9915
Email: Clarissa.a.smithesq@gmail.com

Anthony Jordan (0066150)
Commerce Park IV
23240 Chargin Blvd., Suite 535
Beachwood, Ohio 44122
T (216) 773-1536
Email: Adjesq@gmail.com

*Counsel for Plaintiffs JaJuan Wyckoff &
Khadijah Wyckoff*