

Exhibit A

DISTRICT COURT, BOULDER COUNTY, COLORADO 1777 6TH St. Boulder CO 80302	<p style="text-align: center;">DATE FILED December 23, 2025 CASE NUMBER: 2025CV245</p> <p style="text-align: center;">▲ COURT USE ONLY ▲</p> <p>Case No 25CV245</p>
TAYLOR DAFFERN Plaintiff, v. Longmont Police Department, Kurtis Hampton, K-9 Officer Bear, Jason Korn, Amanda Jonas, John Winship, Russell Johnson, Eric Lewis, Johnathan Lundy, Seth Roberts, Craig Mortenson, Cary McDonald, John Garcia, Chanda Bochowiec, Repondent A, Respondent B,C,D,E,F,G, (identity unknown) et al Respondent(s)	
Party Without Attorney Taylor Daffern # 170209 P.O. Box 2017 Buena Vista CO. 81211	
CIVIL RIGHTS COMPLAINT UNDER 42 U.S.C. 1983 and STATE TORT CIVIL ACTION	

COMES NOW, and most respectfully the plaintiff does hereby submit this Civil Rights Complaint and State Tort Action. For grounds states:

JURISDICTION AND VENUE

1. This court has jurisdiction concurrent with the US District Court of Colorado on all action under 42 U.S. 1983.
2. That the district court, Boulder County is a court of general jurisdiction and therefore, has concurrent jurisdiction with the federal courts pursuant to 42 US 1983; 42 US 2000; Silverman v. University of Colorado, 192 Colo. 75; 555 P.2d 1155 (1976).
3. This court has jurisdiction pursuant to the U.S. Constitution to include but not limited to the 1st., 4th., 5th., 8th., and 14th., amendments; the Colorado Constitution Art. II, sec. 3,7, and 25.
4. This court has venue pursuant to C.R.C.P. Rule 98.

PARTIES

5. Plaintiff at all times relevant herein was under the custody of the CDOC and the Sheriff's Dept. of Boulder County.
6. Respondent Longmont Police Department (LPD), at all times relevant herein was the employer of the named respondent(s) named in the complaint.
7. Respondent A (identity unknown), at all times relevant herein was employed as the Chief of Police for LPD, working and acting in the course and scope of his duties and employment under the color of state law, and in excess of his official and individual capacity. Respondent A is responsible for the overall operation, supervision security, and management of LPD.
8. Respondent K-9 Officer Kurtis Hampton, at all times relevant herein was employed by LPD working and acting within the course and scope of his employment as a K-9handler, under the color of state law in excess of his official and individual capacity. Respondent was the K-9 handler of Bear.

9. Respondent K-9 Officer Bear, at all times relevant herein was employed by the LPD working and acting within the scope and course of his employment as a K-9, under the color of state law in excess of his official and individual capacity.
10. Respondent Jason Korn, at all times relevant herein was employed by LPD working and acting within the scope and course of his employment, under the color of state law in excess of their official/individual capacity as a police officer.
11. Respondent Amanda Jonas, at all times relevant herein were employed as LPD working and acting within the scope and course of her employment, under the color of state law in excess of her official and individual capacity as a police officer.
12. Respondent John Winship, at all times relevant herein were employed as LPD working and acting within the scope and course of his employment, under the color of state law in excess of his official and individual capacity as a police officer.
13. Respondent Russell Johnson, at all times relevant herein were employed as LPD working and acting within the scope and course of his employment, under the color of state law in excess of his official and individual capacity as a police officer.
14. Respondent Eric Lewis, at all times relevant herein were employed as LPD working and acting within the scope and course of his employment, under the color of state law in excess of his official and individual capacity as a police officer.
15. Respondent Johnathan Lundy, at all times relevant herein were employed as LPD working and acting within the scope and course of his employment, under the color of state law in excess of his official and individual capacity as a police officer.
16. Respondent Seth Roberts, at all times relevant herein were employed as LPD working and acting within the scope and course of his employment, under the color of state law in excess of his official and individual capacity as a police officer.
17. Respondent Craig Mortensen, at all times relevant herein were employed as LPD working and acting within the scope and course of his employment, under the color of state law in excess of his official and individual capacity as a police officer.
18. Respondent Cary McDonald, at all times relevant herein were employed as LPD working and acting within the scope and course of his employment, under the color of state law in excess of his official and individual capacity as a police officer.
19. Respondent John Garcia, at all times relevant herein were employed as LPD working and acting within the scope and course of his employment, under the color of state law in excess of his official and individual capacity as a police officer.
20. Respondent Chanda Borchowiec, at all times relevant herein were employed as LPD working and acting within the scope and course of her employment, under the color of state law in excess of her official and individual capacity as a police officer.
21. Respondent B, C, D, E, F, G, (identity unknown), at all times relevant herein were employed by the LPD working and acting within the scope and course of their employment, under the color of state law in excess of their official and individual capacity as a police officer.

AVERTMENT OF EXHAUSTION OF ADMINISTRATIVE REMEDIES

22. Plaintiff has exhausted his administrative remedies that were available to him.

STATEMENT OF THE FACTS

23. On or about 12/21/23, the plaintiff was sitting outside of a residence in a vehicle that had been borrowed by him from an acquaintance. The plaintiff was near the location of Dearwood Drive and Sumer Hawk Drive. Unbeknownst to the plaintiff was the fact that he had an active warrant for his arrest.
24. On or about 12/21/23, the plaintiff was surrounded by several vehicles and confronted by several individuals whom he did not recognize. The Respondent's appeared to be shouting however, the plaintiff who is partially deaf/HOH could not distinguish the exact context of the abundance of shouts.
25. The plaintiff became in fear for his life when he saw individuals with guns pointed at him. He then exited the vehicle and sought to flee from the dangerous situation. At no point in time did he ever reach into his waistband or other extremities as if armed.
26. Plaintiff fled from the dangerous encounter with the Respondents and fled on foot. He was running when he came face-to face with what he then recognized as a police officer (Respondent's identity unknown) who pointed a firearm at the plaintiff. Plaintiff immediately put up his hands, began to kneel, and surrendered to the officer. The plaintiff was then attacked from behind by K-9 officer Bear who bit the plaintiff around the back of his neck and ear. Plaintiff then reached back and attempted to pull Bear off of his neck and was bitten on the hand followed by Bear re-engaging on his neck and ear. Bear continued to shake his head and bite down on the plaintiff's neck and ear. It was at this point that the plaintiff suffered from a seizure and became unresponsive.
27. Several of the named respondents were present when the K-9 officer Bear was engaged with the plaintiff and had a duty to intervene however, failed to do so. In addition, when Bear brutally and violently attacked the plaintiff the conduct was not only excessive but also unconstitutional in nature. When plaintiff was seizing the respondents failed to recognize that the plaintiff was in medical distress and instead used his unconscious movements as a signal to then beat up and further brutalize the plaintiff.
28. Plaintiff was then arrested and taken to the hospital and treated for his wounds. The extent of his wounds included but are not limited to massive scarring, disfigurement, loss of hearing, severe headaches, seizures, flashbacks from the PTSD that the plaintiff now suffers from and
29. Following his arrest and treatment for his injuries, the plaintiff was taken to the Boulder County Sheriff's Department and held for disposition of the warrants that plaintiff had been unaware of.
30. Prior to the facts previously stated Respondent's were on notice and aware of the requirement to ensure that officer's under their chain of command were aware of the constitutional protections afforded to criminal Respondents during arrest procedures, what is required of them to intervene when confronted with the use of excessive force by another officer, and a duty to report said uses of excessive force. What is of significance is that according to state law, law enforcement officers are now required to wear body-cameras to record interactions with the general public both during general encounters and arrest. The respondents were wearing said body cams and recording the incident that formulates the causes of action in this case. Plaintiff asserts that the integrity and completeness of the footage taken during his arrest by these body cams must be preserved and the failure by the respondents to do so will be akin to a cover up in order to evade financial and personal liability.

FIRST CAUSE OF ACTION VIOLATION OF CONSTITUTIONAL RIGHTS AND FAILURE TO TREAT MEDICAL CONDITION BY RESPONDENTS

31. Plaintiff hereby incorporates paragraphs 1- 33, by reference as if fully set forth in their entirety hereinafter.
31. Respondents violated the plaintiff's rights under the First, Eighth, and Fourteenth Amendments to the U.S. Constitution Colo. Constitution and the accompanying state tort rights. Respondents acted with deliberate indifference to the health, well-being, and ADA rights of the plaintiff. Respondents' treatment of the plaintiff while under their custody amounted to Cruel and unusual punishment denied him of his right under the American Disabilities Act. The punishment exacted upon plaintiff was done in a willful and wanton manner with the specific intent to deny him his constitutionally protected rights and in retaliation for the conduct that occurred during the arrest of the plaintiff.

32. Respondents' failure to treat the plaintiff regarding the serious medical condition caused by the vicious attack K-9 Bear resulted in the plaintiff suffering from the following: PTSD, seizures, physical disfigurement, loss of substantial weight, extreme pain and suffering, inconvenience, emotional distress, impairment of quality of life and past and future economic losses.
33. That at all times pertinent herein, Respondents were personally involved in the alleged constitutional violation in that each of them: (1) directly participated in the violation; (2) failed to remedy the wrong after learning of the violation through but not limited to a kite, call of other communication; (3) created a policy or custom under which unconstitutional and unlawful practices occurred; (4) allowed such a policy or custom to continue; and/or (5) was deliberately and recklessly indifferent in managing subordinates who caused the unlawful condition and events by allowing them to continue, and for their failure to intervene.
34. That at all times pertinent herein, Respondents while acting under the color of state law and/or pursuant to a policy, custom, or usage of said policy in deliberate indifference or disregard for the health and well-being of the plaintiff unconstitutionally denied him of his rights and protections under the U.S. and Colo. Constitutions and state law.

SECOND CAUSE OF ACTION RESPONDENTS VIOLATED THE CIVIL RIGHTS OF THE PLAINTIFF

35. Plaintiff hereby incorporates paragraphs 1-34 by reference as if fully set forth in there entirety hereinafter
36. Upon information and belief, prior to 12/21/23, respondents Longmont Police Department, Respondent A, and respondents 10-20 of this complaint permitted, ratified, encouraged, or actively participated in a cause of action and further tolerated a pattern and practice of unjustified, unreasonable, and illegal uses of force by the police officers under their chain of command in that:
 - Defendants failed to discipline or prosecute or in any manner deal with known incidents of excessive force,
 - Defendants failed to investigate complaints of previous incidents excessive force and instead officially claimed that such incidents were justified and proper,
 - By means of inaction and cover-up of such incidents of excessive force, defendants encouraged police officers employed or supervised by them that the use of excessive force was then permissible.
37. Upon information and belief there has been several civil rights complaints, civil actions, and/or other litigious proceedings filed against individual officers for previous incidents involving the use of excessive force by individual police officers for inaction and cover-up by the defendants with respect to such incidents.
38. Respondents have maintained an inadequate system of review of incidents of excessive force, which system has failed to identify instances of improper use of excessive force or to discipline, more closely supervise, or retrain the offenders who in fact improperly used excessive force.
39. Upon information and belief, the systematic deficiencies include but are not limited to:
 - Preparation of investigative reports designed to vindicate the use of force regardless of whether such actions were justified,
 - Preparation of investigative reports which uncritically rely solely on the word of police officers involved in incidents and which systematically fails to credit the testimony of non-police witnesses or actual persons involved with the incident,
 - Preparation of investigative reports which omit factual information and physical evidence which contradicts the accounts of the officers involved,
 - Issuance of public statements exonerating officers involved in such incidents prior to the completion of the investigation,
 - Failure to review investigative reports by responsible superior officers for accuracy or completeness and acceptance of conclusions which are unwarranted by the evidence or contradictory to the same.
40. Respondents also maintain a system of grossly inadequate training pertaining to the law of permissible use of force in that obvious and unlawful uses of force are covered up by official investigation designed to exonerate the perpetrators thereby instilling in police officers the belief that they can engage in unlawful uses of force with impunity.

- 41. The foregoing acts, omissions, and systematic deficiencies are policies and customs of the respondents and such caused the police officers and respondents to be unaware of the rules governing permissible use of force and to believe that used of force are entirely within the discretion of the officers and the improper uses of force would not be honestly and properly investigated, all with the foreseeable result that officers are more likely to use force in situation where such force is neither necessary for reasonable.
- 42. As a direct and proximate cause of the actions listed above in the first and second causes of action and related to the respondents, the plaintiff was injured and continues to suffer emotionally, physically, from the serious medical condition caused by the vicious attack K-9 Bear and has resulted in the plaintiff suffering from the following: PTSD, seizures, physical disfigurement, loss of substantial weight, extreme pain and suffering, inconvenience, emotional distress, impairment of quality of life, and past and future economic losses and otherwise due to the injuries he has suffered at the hands of the respondents.

THIRD CAUSE OF ACTION ASSAULT AND BATTERY

- 43. Plaintiff hereby incorporates paragraphs 1-42 by reference as if fully set forth in their entirety hereinafter.
- 44. At the time of plaintiff's arrest, he was assaulted and battered by the respondents who repeatedly hit and assaulted the plaintiff and failed to intervene when their fellow officers were engaged in conduct that amounted to a physical assault and battery.
- 45. In addition, a direct and proximate result of the plaintiff being viciously assaulted and battered by the K-9 Bear he suffered the following injuries: PTSD, seizures, physical disfigurement, loss of substantial weight, extreme pain and suffering, inconvenience, emotional distress, impairment of quality of life and past and future economic losses and otherwise due to the injuries he has suffered at the hands of the respondents.

PRAYER FOR RELIEF

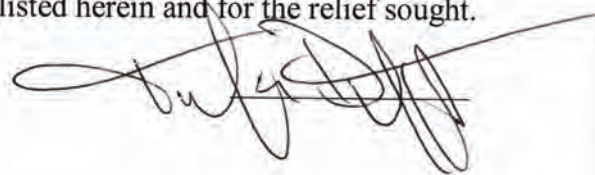
WHEREFORE, plaintiff requests the following:

- A) A declaration that plaintiffs constitutional rights were violated by means of the actions of the Respondents in this case;
- B) Compensatory damages for the funds that were expended by plaintiff;
- C) An award of punitive damages for violations of the constitutional rights and state tort actions of the plaintiff and others similarly situated;
- D) An award of all damages allowed by law for the violations of the constitutional rights and state tort actions of the plaintiff for the violation alleged herein to include pre and post judgment interest at the lawful rate;
- E) Costs of prosecution of this action to include experts witness fees and any other reasonable expenditures used to litigate the matter;
- F) Any additional or alternative relief as may be just, proper, and equitable.

Wherefore, the plaintiff moves this court for a jury trial on all matters as listed herein and for the relief sought.

Respectfully Submitted,

Dated:



CERTIFICATE OF MAILING

I certify that on the 14th day of December, 2025, that a true and correct copy of the foregoing Civil Rights Complaint was deposited in the U.S. Mail, postage pre-paid, using the inmate legal log at Buena Vista Correctional Facility and addressed to the following:

Boulder County District Court
1777 6TH St.
Boulder CO 80302

Respectfully Submitted,

Dated:12/14/25



Taylor Daffern