

Complaint.

Factual Background

13. This is a federal civil rights action against the Defendants arising from the Plaintiff's wrongful arrest and subsequent imprisonment for four almost six years, stretching from October 5, 2004 through April 30, 2010, based upon the perjury committed by at least one person placed with society's highest trust to enforce and uphold the law-police officers. That liability extends through to the policy makers for the City of Tulsa who were willfully blind to the practices, policies, and actions of police officers within the City of Tulsa. As a result of the actions of the Defendants, Williams's Constitutional rights were denied him; his liberty interest was stolen from him for more than five years. During that period of incarceration, the Mr. Williams was deprived of his civil rights, and suffered from severe anguish, emotional distress, pain and suffering.

Factual Allegations

14. Plaintiff re-alleges and hereby incorporates by reference all allegations set forth in paragraphs one (1) through thirteen (13) as if each has been separately restated here.

15. Defendant Henderson of the Tulsa, Oklahoma, Police Department obtained a no-name search warrant for a residence located in the 3800 Block of South 128th East Avenue in Tulsa, Oklahoma on or about July 27, 2004.

16. Defendant Henderson used boilerplate assertions in the affidavit he used to obtain the warrant. Those boilerplate representations included the following assertions, which were false, and which Henderson knew to be false. Specifically, the affidavit contains the following material, which was not true:

"YOUR AFFIANT FURTHER STATES THAT IN THE PAST 48 HOURS THE

MENTIONED RCI HAS BEEN TO THE ABOVE DESCRIBED RESIDENCE AND OBSERVED A BLACK MALE, HEREAFTER REFERRED TO AS 'JOHN DOE' WHO WAS SELLING COCAINE OUT OF THIS RESIDENCE. THE RCI DIRECTED YOUR AFFIANT TO THE RESIDENCE AND POINTED IT OUT AS THE LOCATION FROM WHICH THE RCI OBSERVED THE COCAINE. THE RCI TOLD YOUR AFFIANT THAT THE COCAINE WAS PACKAGED FOR SALE. THE RCI TOLD YOUR AFFIANT THAT THE RCI HAS OBSERVED JOHN DOE CONDUCT DRUG TRANSACTIONS FROM THIS RESIDENCE. THE RCI DESCRIBED THE COCAINE TO YOUR AFFIANT AND THAT THE RCI (sic) IS POSITIVE THAT THE ITEMS SEEN IN THE RESIDENCE WERE INDEED COCAINE.....YOUR AFFIANT FURTHER STATES THAT JOHN DOE TOLD THE RCI THAT HE IS ONLY SELLING COCAINE AFTER THE HOURS OF 10 P.M."

17. Williams never sold drugs out of the residence described in the Warrant and the Affidavit.

18. Upon information and belief, there was no informant who made the statements set forth above in paragraph 13.

19. Defendant Henderson obtained a series of bogus/false search warrants by use of affidavits based on strikingly similar allegations. In each, he made identical or very nearly identical boilerplate representations regarding information provided him by purported informants. Each affidavit referred to help from the informant "in excess of ___ occasions", each of which resulted in people being "successfully charged." Each refers to contact with "R.C.I." in the past 72 hours. In order to believe the affidavits, it must be believed that Officer Henderson always had at his disposal informants with strikingly similar individual characteristics, all witnessing strikingly similar kinds of illegal activity. Those affidavits featured either persons named as informants who lied about the matters which they were supposed to witness or no informants existed. Defendant Henderson would often threaten and coerce people to testify the way he wanted them to when the affidavits he filled out were questioned. The City of Tulsa acted with deliberate indifference toward this activity.