

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA

GUILLERMO ANTONIO LEON
SERRABI,

Plaintiff,

v.

THE UNITED STATES OF
AMERICA; SCOTTY RHODEN, in his
official capacity as Sheriff of Baker
County, Florida; CALEB COLLINS, in
his individual capacity,

Defendants.

Case No. 24-cv-1212

JURY TRIAL DEMANDED

FIRST AMENDED COMPLAINT FOR DAMAGES

COMES NOW Plaintiff Guillermo Antonio Leon Serrabi (“Plaintiff” or “Mr. Serrabi”), by and through his attorneys, to assert claims for damages against Defendant the United States of America under the Federal Torts Claim Act (“FTCA”) and against Defendants Scotty Rhoden (“Sheriff Rhoden”) and Caleb Collins (“Officer Collins”) under 42 U.S.C. § 1983.

I. BACKGROUND

1. Mr. Serrabi suffered permanent injuries while detained in the custody of Immigration and Customs Enforcement (“ICE”) at the Baker County Detention Center (“Baker”) in Macclenny, Florida.

2. Mr. Serrabi is seeking damages against the United States of America for the Florida torts of false imprisonment, intentional infliction of emotional distress, and negligence, in connection with his mistreatment at Baker and unlawful placement in solitary confinement (or “segregation”) between approximately October 29, 2021, and January 25, 2022.

3. As a result of being unlawfully placed and kept in solitary confinement, Mr. Serrabi was deprived of his liberty and suffered severe injuries.

4. Furthermore, while in solitary confinement under direct ICE supervision, on or around December 21, 2021, Mr. Serrabi was the victim of an assault and a battery by Officer Collins, resulting in severe physical injuries, including a ruptured eardrum and hearing loss.

5. For these injuries, Plaintiff is seeking damages for excessive force under the Fourteenth Amendment to the U.S. Constitution against Defendants Collins, in his individual capacity, and Sheriff Rhoden, in his official capacity.

6. Mr. Serrabi did not receive adequate medical care and was forced to remain in solitary confinement pursuant to ICE direction despite deteriorating physical and mental health.

7. Mr. Serrabi was also denied necessary mental health care and access to language services.

II. VENUE AND JURISDICTION

8. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331, as Plaintiff's claims arise under the laws of the United States. This Court also has jurisdiction to grant relief in this action pursuant to 28 U.S.C. § 1346(b), as Plaintiff brings claims under the Federal Tort Claims Act.

9. Venue is proper in the Middle District of Florida under 28 U.S.C. § 1402(b) because the causes of action laid out in this Complaint occurred in this judicial district.

10. Plaintiff timely filed an administrative complaint with ICE and DHS related to the abuse and injuries he suffered at Baker that substantiate the claims set forth herein.

11. By letter dated May 22, 2024, ICE denied Plaintiff's administrative claim. In the denial notification, ICE advised Plaintiff that if he disagreed with the denial, he had the right to file suit in federal district court "no later than six months after the date of mailing of this notification of denial."

12. The instant suit was timely filed under the FTCA, 28 U.S.C. § 2401(b), as it was initially filed within six months of the date of the mailing of the denial of the administrative claim.

III. JURY DEMAND

13. Plaintiff hereby demands that all eligible claims be tried by a jury.

IV. PARTIES

14. Mr. Serrabi is a natural person and national of El Salvador, where he currently resides. At all times relevant to this complaint, he was detained at Baker in ICE custody.

15. The United States of America is the sovereign nation responsible for the lawful enforcement of immigration laws through, among others, officers, agents, and employees of the Department of Homeland Security (“DHS”) and Immigration and Customs Enforcement (“ICE”), the federal immigration law enforcement agency under DHS.

16. Sheriff Rhoden is the Sheriff of Baker County, Florida. He is the chief law enforcement official in Baker County and the final policymaker for the Baker County Sheriff’s Office (“BCSO”). In this position, he had direct authority over the Baker County Detention Center during Plaintiff’s detention. Plaintiff sues Sheriff Rhoden in his official capacity.

17. Officer Collins was at all times material to this Complaint a correctional officer employed at Baker, where he assaulted Plaintiff as described herein. Plaintiff sues Officer Collins in his individual capacity

V. STATEMENT OF FACTS

A. Introduction

18. Mr. Serrabi is a 26-year-old man, originally from San Salvador, El Salvador, who arrived in the United States in May 2013 as a minor.

19. Mr. Serrabi became subject to a final order of removal from the United States on September 15, 2021, for being unlawfully present.

20. Mr. Serrabi was first held at Baker pending removal in the summer of 2021.

21. He was temporarily transferred to the Krome North Processing Center starting October 1, 2021, before being transferred back to Baker on October 29, 2021, where he remained until he was removed to El Salvador in August 2022.

22. Mr. Serrabi has never been convicted of a crime of violence or any other aggravated felony, or of a crime involving moral turpitude.

B. Baker County Detention Center

23. The Baker County Detention Center is a county-run detention center owned and operated through the Baker County Corrections Management Corporation (“BCCMC”), a 501c3 organization. BCCMC operates as “a component unit of Baker County Florida.” BCCMC reports that the facility has 512 beds and became operational on June 13, 2009.¹

24. BCSO operates Baker pursuant to an agreement with the BCCMC, and under that authority, Sheriff Rhoden entered into an Intergovernmental Services

¹ See Guidestar Nonprofit Directory, <https://www.guidestar.org/profile/81-5282016> (last accessed November 18, 2024).

Agreement (“IGSA”) with ICE in 2009, resulting in approximately half of the detention center being dedicated to the housing of immigrants in ICE custody.

25. The IGSA is subject to the 2019 National Detention Standards.

26. Over the years, Baker has been the subject of numerous reports, complaints, and investigations of abusive conditions, and specifically inhumane treatment of detained immigrants in its custody.

27. These reports and investigations have increased in recent years.

28. The ACLU of Florida Detention Database has tracked 470 complaints of abuse at Florida immigration detention centers, with 133 reported to DHS. These include 55 complaints involving punitive use of solitary confinement, 25 complaints involving excessive use of force, and 129 complaints involving denial of medical care, at Baker alone.²

29. Baker has also been the subject of numerous investigations by the DHS Office of the Inspector General and the DHS Office of Civil Rights and Civil Liberties, which has found serious mistreatment of detained individuals, including but not limited to “the areas of unnecessary and excessive uses of force, uses of segregation, language access and verbal abuse by staff.”³

² See ACLU of Florida Detention Database, <https://public.tableau.com/app/profile/aclu.fl/viz/FLDetentionDatabase/database> (last accessed on November 19, 2024).

³ CRCL Compliance Documents, https://www.aclufl.org/sites/default/files/field_documents/crcl_foia_response_recei

C. Mr. Serrabi's Detention at Baker

30. During Mr. Serrabi's time in ICE custody at Baker, he suffered mistreatment not only at the hands of BCSO, but also by ICE.

31. ICE officers directly harmed Mr. Serrabi by forcing him to remain in solitary confinement for 88 days, and failing to ensure that he received care for his deteriorating physical and mental health conditions, in violation of ICE policies, rules, and regulations put in place for detained individuals' safety and protection.

32. On October 29, 2021, when Mr. Serrabi arrived at Baker from the Krome North Processing Center after a previous period of detention at Baker, he was immediately placed in solitary confinement.

33. On information and belief, ICE officers instructed BCSO that Mr. Serrabi should be placed and kept in solitary confinement because he refused to take a COVID-19 test and failed to sign papers to facilitate his removal from the United States.

34. Mr. Serrabi's detention records indicate that he was "housed in confinement" at Baker "due to the advisement of immigration" officers. Ex. 1 at p. 1.

ved_2-13-24_2023-crfo-00282_crcl_records-2.pdf (last accessed on November 19, 2024).

35. While he was in solitary confinement, Mr. Serrabi was told by an ICE officer that he would remain in solitary confinement until he agreed to sign papers to facilitate his removal from the United States.

36. Mr. Serrabi's detention records are devoid of any other reason for his 88 days of solitary confinement.

37. Mr. Serrabi was fully vaccinated against COVID-19.

38. ICE's Pandemic Response Requirements at the time provided that detained immigrants are to be held in an "isolation period" no longer than ten days, and clarified that "medical isolation is not punitive in nature and must be operationally distinct from administrative or disciplinary segregation[.]"⁴

39. Under ICE policy, all forms of segregation, whether administrative or disciplinary, must go through a detailed review process, with corresponding documentation, including segregation orders, and all continued confinement that extends past 14 days must be reviewed by ICE/ERO.⁵

40. Pursuant to the 2019 Detention Standards, detained immigrants must also be screened for mental health concerns before being housed in solitary confinement,

⁴ See *ICE's Enforcement and Removal Operations COVID-19 Pandemic Response Requirements*, pp. 10, 20-21, March 16, 2021, <https://www.ice.gov/doclib/coronavirus/eroCOVID19responseReqsCleanFacilities-v6.pdf>.

⁵ See 2019 National Detention Standards for Non-Dedicated Facilities, Standard 2.9 at 53-57, <https://www.ice.gov/doclib/detention-standards/2019/nds2019.pdf> (last accessed November 19, 2024).

with ICE/ERO “immediately” notified “in writing” regarding any detained immigrant with “mental illness” or “a serious medical illness[.]”⁶

41. ICE Directive 11065.1 provides further that “[p]lacement of detainees in segregated housing [...] requires careful consideration of alternatives [and] should occur only when necessary,” and that “ICE shall take additional steps to ensure appropriate review and oversight of decisions to retain detainees in segregated housing for over 14 days, or placements in segregation for any length of time in the case of detainees for whom heightened concerns exist based on known special vulnerabilities and other factors related to the detainee’s health.”⁷

42. Mr. Serrabi’s ICE detention records are devoid of any segregation orders, reviews, continued orders of confinement, or any indication that ICE considered and monitored Mr. Serrabi’s prolonged confinement and the impact on his severe mental illness in any way. ICE entirely failed to provide appropriate accommodations and monitoring of Mr. Serrabi, as required by ICE policies, resulting in his severe injury.

43. Mr. Serrabi’s mental health issues are well documented throughout his detention records, from his previous period of detention at Baker through his arrival the second time in October 2021. For example, during a mental health intake on

⁶ *Id.* at 58.

⁷ 2013 Review of the Use of Segregation for ICE Detainees, https://www.ice.gov/doclib/detention-reform/pdf/segregation_directive.pdf (last accessed November 19, 2024).

October 29, 2021, medical staff noted Mr. Serrabi's history of requiring mental health medication during his previous period of detention at Baker and classified him as a "moderate risk."

44. Mr. Serrabi's detention records are also replete with reports of worsening mental health conditions during his prolonged solitary confinement. Mr. Serrabi reported "hearing voices" on November 12, 2021, and increased visual hallucinations by January 21, 2022, as well as worsening depression and anxiety due to his confinement.

45. He also reported feelings of increased persecution by ICE and felt that he was being targeted and taunted to pressure him into signing his deportation papers. Mr. Serrabi reported that BCSO officers (who, on information and belief, were acting at the direction or under the close supervision of ICE officers) came by his cell every two days, asking if he was "ready to be deported," even though he was represented by counsel and his case was still ongoing.

46. As Mr. Serrabi's solitary confinement continued, he became more and more dejected, noting that "I haven't done nothing to be in confinement. Tell me what do you see in my eyes? Why do they think I am a monster?"

47. During that time, Mr. Serrabi's "dysphoric mood," depression and anxiety continued to worsen and escalate.

48. Throughout his solitary confinement, Mr. Serrabi was denied access to telephone calls, impeding his ability to speak with both his attorney and family members. He was denied recreational time or the ability to interact with other detained individuals. These conditions were punitive and contrary to the 2019 ICE Detention Standards. They also exacerbated his mental health condition.

49. Then, on December 21, 2021, Mr. Serrabi's situation worsened dramatically. He was in his solitary cell praying and singing to himself, when BCSO officers, who upon information and belief included Officer Collins and one Sergeant Gainey, entered Mr. Serrabi's cell.

50. Officer Collins then told Mr. Serrabi to stop singing, that "nobody wanted to hear him sing," and threatened him with violence. Mr. Serrabi stated that he only "feared god," and as Mr. Serrabi turned to speak to another BCSO officer, Officer Collins punched Mr. Serrabi in his left ear, dislocating and damaging his ear drum.

51. Mr. Serrabi's detention records are devoid of any pre- or post-use of force analysis or approval related to this incident, or any noted disciplinary or security reasons for applying extreme and punitive force against Mr. Serrabi.

52. At the time of the assault, Sheriff Rhoden and BCSO had already been made aware by Baker staff and by ICE of prior instances when its officers had used or may have used excessive force against persons detained at the facility.

53. At the time of the assault, Sheriff Rhoden and BCSO were aware of the risk and of their obligations under the United States Constitution, under federal and state law, and the 2019 National Detention Standards, prohibiting excessive use of force.

54. On information and belief, Sheriff Rhoden and BCSO failed to take adequate measures to address such reports or other complaints of excessive force at the facility or address the abuse that Mr. Serrabi suffered at the hands of Officer Collins and BCSO.

55. Mr. Serrabi was denied any medical treatment until the following day. When he was finally allowed to go to the medical unit, he reported pain and trouble hearing. Medical staff performed an exam, but no further treatment or care is noted in Mr. Serrabi's medical chart.

56. Mr. Serrabi reported to medical staff that "I was singing last night and officer Caleb Collins came to my door and said that 'don't nobody want to hear me sing. So I said it's okay and I started singing lower and then he opened the door and Sergeant Gainey was standing at the door when he came in and Officer Collins tried to intimidate me. He said that 'I came from the prison and if I wanted to I could beat you right now' and he stood in my face and looked in my eyes and intimidated me with bad words. He kept talking in my face and then I said 'I'm not scared of you. I'm scared of God not you!' I was sitting on my bed all the time and when I turned around to talk to Sergeant Gainey he hit me on the side of my face in my ear and my

head hit the wall I ask to go to medical because my ear was bleeding but they won't let me go.”

57. On December 30, 2021, Mr. Serrabi requested medical assistance for ongoing ear pain and hearing problems. The medical staff found that “the tympanic membrane is no longer intact.” Despite finding that his ear drum was detached, Mr. Serrabi was merely provided instructions to “return to sick call if symptoms worsen or persist more than 7 days.”

58. Even after this assault and injury, ICE kept Mr. Serrabi in segregation. Mr. Serrabi's detention records are devoid of any record showing that ICE ever considered, noted, or addressed Mr. Serrabi's physical injury, suffered in solitary confinement at the hands of his jailers. Nor did ICE, upon information and belief, ever consider or weigh the gravity of Mr. Serrabi's long standing severe mental illness and subsequent deterioration due to long term solitary confinement.

59. Mr. Serrabi did not receive the medical care or mental health treatment he required during his solitary confinement, especially following the assault and battery on December 21, 2021.

60. Mr. Serrabi pleaded for assistance multiple times throughout his 88 days in solitary confinement, noting his increasing audio and visual hallucinations, suicidal ideation, and deteriorating mental health due to his segregation.

61. Mr. Serrabi's records do not show that any Initial Suicide Risk Assessment or Follow-Up Suicide Risk Assessment was conducted, as required under ICE Health Service Corps ("IHSC") protocols.⁸

62. ICE also failed to follow other IHSC protocols regarding Mr. Serrabi's prolonged segregation, notably by failing to ensure the use of translation services. IHSC standards require that "[h]ealth care professionals screen detainees in their primary language . . . If an interpreter is used, the nurse will document this . . . Unless there is an emergency, the use of other detainees as interpreters is prohibited."⁹

63. Though Mr. Serrabi's medical records state at one point that he "speaks english fluently and spanish," he does not in fact speak English fluently.

64. By placing and keeping Mr. Serrabi in solitary confinement without required safeguards and monitoring, ICE officers caused him to suffer mental and emotional injuries as well as a foreseeable degradation of his known serious mental health condition.

65. ICE's failure to ensure (as required by ICE policies) that Mr. Serrabi received appropriate care and accommodations given his known condition (especially during

⁸ See, e.g., 2013 Review of the Use of Segregation for ICE Detainees, Section 5.2, https://www.ice.gov/doclib/detention-reform/pdf/segregation_directive.pdf (last accessed November 19, 2024).

⁹ Intake Screening and Intake Reviews, https://www.ice.gov/doclib/foia/policy/11744.2_IntakeScreeningAndReviews_03.28.2016.pdf (last accessed November 19, 2024).

his segregation at ICE's direction and after his assault and battery by BCSO officers under ICE supervision) further exacerbated his mental and physical injuries.

66. The injuries Mr. Serrabi sustained at Baker continue and have worsened over time. He continues to exhibit symptoms of post-traumatic stress disorder, including worsening depression, anxiety, and mental health deterioration triggered by his prolonged detention and abuse suffered at Baker.

67. He also continues to suffer from hearing loss and physical injury due to the assault on December 21, 2021, and subsequent lack of medical treatment.

68. It is well documented that individuals with mental health disorders are overrepresented in solitary confinement and that the effects "of solitary confinement on mental health are often fatal, both during and after incarceration."¹⁰

CAUSES OF ACTION

CLAIM I

First Cause of Action: Federal Tort Claims Act - 28 U.S.C. § 2680 False Imprisonment (Against the United States of America)

69. Mr. Serrabi re-alleges and incorporates by reference paragraphs 15-68 above.

¹⁰ See National Alliance on Mental Illness, <https://www.nami.org/advocate/how-solitary-confinement-contributes-to-the-mental-health-crisis/> (last accessed November 19, 2024).

70. ICE agents acted within the scope of their office or employment under circumstances such that, if they were a private person, they would be liable to Plaintiff in accordance with the laws of the State of Florida.

71. Mr. Serrabi states a cause of action for false imprisonment under Florida law, because the facts above, in connection with other facts known by ICE, are sufficient to set forth these four elements: “1) the unlawful detention and deprivation of liberty of a person 2) against that person's will 3) without legal authority or ‘color of authority’ and 4) which is unreasonable and unwarranted under the circumstances.” *Montejo v. Martin Mem’l Med. Ctr., Inc.*, 935 So. 2d 1266, 1268 (Fla. 4th DCA 2006).

72. Sovereign immunity does not protect the Defendant United States of America from liability for false imprisonment, pursuant to 28 U.S.C.A. § 2680(h). *See Nguyen v. United States*, 556 F.3d 1244, 1256–57 (11th Cir. 2009) (“We would give effect to the plain meaning and clear purpose of the statutory language by concluding that sovereign immunity does not bar a claim that falls within the proviso to subsection (h), regardless of whether the acts giving rise to it involve a discretionary function.”).

73. As set forth herein, Mr. Serrabi was unlawfully held in solitary confinement by ICE and deprived of his liberty without a legal basis and in contravention of ICE policies related to mental and physical health care.

74. Mr. Serrabi's prolonged detention in solitary confinement at ICE's direction was against his will and despite his request for release and assistance with his deteriorating mental and physical health.

75. ICE did not have lawful authority to hold Mr. Serrabi in prolonged solitary confinement under the circumstances detailed herein because such confinement implicated a separate liberty interest and ICE failed to provide due process and adhere to mandatory ICE policies for doing so.

76. Mr. Serrabi's prolonged solitary confinement was unreasonable and unwarranted. There was no reason or justification to force him to remain in segregation for such an elongated period of time. This confinement was all the more damaging and outrageous considering Mr. Serrabi's well-documented severe mental illness and his suffering and deterioration in segregation, as he consistently reported.

77. There was no ostensible basis for Mr. Serrabi's prolonged solitary confinement, except to pressure him to sign deportation papers or for punitive purposes, neither of which are lawful justifications.

78. Such confinement was highly damaging to Mr. Serrabi, both during his detention at Baker and afterwards. He continues to suffer repercussions to this day.

CLAIM II

Second Cause of Action: Federal Tort Claims Act - 28 U.S.C. § 2674 Intentional Infliction of Emotional Distress (Against the United States of America)

79. Mr. Serrabi re-alleges and incorporates by reference paragraphs 14-68 above.

80. ICE agents acted within the scope of their office or employment under circumstances such that, if they were a private person, they would be liable to Plaintiff in accordance with the laws of the State of Florida.

81. Under Florida law, intentional infliction of emotional distress exists where (1) a defendant acts recklessly or intentionally, (2) the conduct was extreme and outrageous, (3) a defendant's actions caused the emotional distress, and (4) the emotional distress plaintiff suffered was extreme. *See Urquiola v. Linen Supermarket, Inc.*, No. 6:94-cv-14-PCF, 1995 WL 266582, at *4 (M.D. Fla. Mar. 23, 1995).

82. As detailed herein, ICE held Mr. Serrabi in solitary confinement to induce him (through emotional duress) to sign his deportation papers.

83. He was placed in solitary confinement despite and without regard for his pre-existing severe mental illness, including hallucinations and a psychotic disorder.

84. ICE continued to house Mr. Serrabi in solitary confinement even as his mental health deteriorated and he begged for assistance and release.

85. Mr. Serrabi began to suffer auditory and visual hallucinations.

86. He reported worsening depression and anxiety, that he felt ICE was out to get him, that they thought he was a "monster," and that he was at a loss for adequate reasons for his segregation.

87. Mr. Serrabi was forced to remain in solitary confinement even after he was assaulted and severely physically injured by BCSO officers.

88. Mr. Serrabi's mental health severely deteriorated during his period of prolonged solitary confinement and continued throughout his detention at Baker. As a result of Mr. Serrabi's solitary confinement, he suffered severe emotional distress and other mental injuries, such as auditory and visual hallucinations, dysphoria, depression, anxiety, and feelings of persecution.

89. He continues to suffer severe post-traumatic stress symptoms to this day and has flashbacks and anxiety about his prolonged time in solitary confinement.

90. ICE created specific policies regarding solitary confinement of mentally ill patients to address the risks of severe emotional distress caused by prolonged solitary confinement.

91. ICE acted in contravention of these policies in placing and keeping Mr. Serrabi in solitary confinement and causing him severe injury and distress that continues to the present day.

CLAIM III
Third Cause of Action: Federal Tort Claims Act -
28 U.S.C. § 2674 Negligence
(Against the United States of America)

92. Mr. Serrabi re-alleges and incorporates by reference paragraphs 14-68 above.

93. ICE agents acted within the scope of their office or employment under circumstances such that, if they were private persons, they would be liable to Plaintiff in accordance with the laws of the State of Florida.

94. Under Florida law, a claim for negligence requires that a (1) defendant owed the plaintiff a legal duty, (2) defendant breached that duty, (3) defendant's breach proximately caused damages to the plaintiff. *See Lee v. Harper*, 328 So. 3d 384, 386 (Fla. 1st DCA 2021).

95. ICE owed a legal duty of care to Mr. Serrabi as a detained individual in its custody, which was only made greater after ICE ordered his placement in solitary confinement. *See Lee*, 328 So. 3d at 387 ("law enforcement officers are liable for injuries that occur when they deprive a person of their liberty or place them in danger").

96. ICE breached the duty it owed to Mr. Serrabi when ICE placed and kept him in solitary confinement without required safeguards and failed to ensure he was provided with appropriate medical care, including, but not limited to, care for his severe mental health issues and physical injuries sustained during Ms. Serrabi's solitary confinement.

97. ICE had notice of Baker's failure to provide Mr. Serrabi with medical care during his detention at Baker, especially during his periods of solitary confinement, which has caused permanent and lasting injuries.

98. Defendant United States of America is liable for the negligent acts of its employees and agents acting at ICE's direction.

99. The actions of the Defendant's employees and agents constitute negligence under Florida law.

100. Plaintiff is entitled to actual and compensatory damages for these injuries.

101. Furthermore, Florida law is clear that public and private employers alike can be found liable for negligent training or supervision. *See, e.g., Slonin v. City of West Palm Beach*, 896 So. 2d 882 (Fla. 4th DCA 2005); *McFarland & Son, Inc. v. Basel*, 727 So.2d 266 (Fla. 5th DCA 1999); *Mallory v. O'Neil*, 69 So.2d 313 (Fla. 1954).

102. The actions of ICE agents were blatantly contrary to ICE policy and procedure.

103. By placing and keeping Mr. Serrabi in solitary confinement without proper mental health review or assistance and despite his deteriorating mental health due to confinement, Mr. Serrabi was injured and continues to suffer injuries.

CLAIM IV
Fourth Cause of Action: Fourteenth Amendment -
42 U.S.C. § 1983 Excessive Force
(Against Sheriff Rhoden and Officer Collins)

104. Mr. Serrabi re-alleges and incorporates by reference paragraphs 14-68 above.

105. Officer Collins' use of force on Mr. Serrabi, as described above, was unlawfully punitive or otherwise excessive in violation of the Fourteenth Amendment right to due process.

106. Mr. Serrabi did not pose a threat of harm to himself, to Officer Collins, to Sergeant Gainey, or to any other person at the time.

107. On information and belief, Officer Collins acted both in violation of Mr. Serrabi's clearly established federal and state rights and the 2019 National Detention Standards, to which BCSO under Sheriff Rhoden is subject.

108. As indicated above, other individuals who had been detained at Baker had reported similar use-of-force violations at the time.

109. Sheriff Rhoden's failure to adopt appropriate policies and to properly train Officer Collins directly and proximately caused the constitutional deprivation imposed on Mr. Serrabi.

110. Sheriff Rhoden further failed to discipline Officer Collins or to address or provide any oversight for the abuses Mr. Serrabi suffered.

111. As a direct and proximate result of Defendants Rhoden and Collins' unlawful actions, Mr. Serrabi endured and continues to endure pain, suffering, and irreparable harm.

PRAYER FOR RELIEF

Mr. Serrabi therefore respectfully requests a judgment against Defendants for:

- a. Actual and compensatory damages arising from the United States of America's employees and agents' false imprisonment of Mr. Serrabi and resulting in Mr. Serrabi's injury.

- b. Actual and compensatory damages arising from the intentional infliction of emotional distress on Mr. Serrabi by the United States of America's employees and agents resulting in Mr. Serrabi's injury.
- c. Actual and compensatory damages arising from the negligent actions of the United States of America's employees and agents resulting in Mr. Serrabi's injury;
- d. Actual, compensatory and punitive damages arising from the unconstitutional actions of Sheriff Rhoden and Officer Collins;
- e. Reasonable attorney's fees and costs under 42 U.S.C. § 1988 against Sheriff Rhoden and Officer Collins; and
- f. Any such other relief as this Court deems just and proper.

Dated: May 19, 2025

Respectfully Submitted,

/s/ Amien Kacou

Amien Kacou (FL Bar No. 44302)
Amy Godshall (FL Bar No. 1049803)
Daniel Tilley (FL Bar No. 102882)
ACLU Foundation of Florida, Inc.
4343 W Flagler St, Suite 400
Miami, FL 33134
786-363-2700
akacou@aclufl.org
agodshall@aclufl.org
dtalley@aclufl.org

/s/ Katherine H. Blankenship

Katherine H. Blankenship, FL Bar #
1031234
Sanctuary of the South, PLLC
251 Valencia Avenue, #140121
Coral Gables, FL 33134
786-671-8133
katie@sanctuaryofthesouth.com