

15TH JUDICIAL DISTRICT COURT
PARISH OF LAFAYETTE
STATE OF LOUISIANA

PAMELA J. HARRIS

DOCKET NO: 20124240 C

Versus

LAFAYETTE CITY/PARISH
CONSOLIDATED GOVERNMENT,
JOEY DUREL (In his
Official Capacity as City Parish President)
LAFAYETTE POLICE DEPARTMENT,
JIM CRAFT (In his Official Capacity as
City of Lafayette Police Chief), and
JACKIE HAGAN

PARISH OF LAFAYETTE

STATE OF LOUISIANA

CLERK OF COURT
LAFAYETTE PARISH, LA.
2012 JUL 31 PM 2:10

PETITION FOR DAMAGES

NOW INTO COURT, comes PLAINTIFF, PAMELA J. HARRIS, a resident and domiciliary of Lafayette Parish, Louisiana, who respectfully represents the following:

1.

Made defendants herein are the LAFAYETTE CITY/PARISH CONSOLIDATED GOVERNMENT and JOEY DUREL in his official capacity as Lafayette City/Parish President. Service may be made upon said defendants at 705 W. University Avenue, Lafayette, Louisiana 70506.

2.

Also made defendant herein are the following:

A. LAFAYETTE POLICE DEPARTMENT and JIM CRAFT in his official capacity as City of Lafayette Police Chief. Service may be made upon said defendants at 900 E. University Avenue, Lafayette, Louisiana 70502.

B. JACKIE HAGAN, a former employee/police officer with the City of Lafayette Police Department and Lafayette City/Parish Consolidated Government, who may be served with process at 194 Summer Ridge Loop, Sunset, Louisiana 70584.

3.

On or about November 20, 2011, your plaintiff, PAMELA HARRIS, was the witness to a crime in downtown Lafayette, Louisiana, in which she witnessed a man get hit and knocked unconscious by an assailant. She immediately called 911 and reported the incident to police.

4.

The first police officer to arrive at the scene was **JACKIE HAGAN**, who was working in the course and scope of his employment as a police officer with the City of Lafayette Police Department.

5.

JACKIE HAGAN eventually began investigating the incident with another police officer. **PAMELA HARRIS** and her friend, Tamara, provided written statements to Officer Hagan and the other police officer. Thereafter, **PAMELA HARRIS** and her friend, Tamara, asked Officer Hagan if they could leave. Officer Hagan told them no and stated he needed them to stay. When the man that was hit and knocked out left the scene, **PAMELA HARRIS** and Tamara asked if they could leave again. Officer Hagan told them that he would have to bring **PAMELA HARRIS** home.

6.

Tamara and **PAMELA HARRIS** were surprised that the officer said he would bring Pamela home and Tamara immediately explained to Officer Hagan that she was not drinking and that Pamela had rode there with her and she could bring her back home. Pamela asked Officer Hagan if she was in trouble and he said no, but he had to bring her home. Pamela further explained to Officer Hagan that she had her purse in Tamara's car. Officer Hagan then said he would drive the two ladies to Tamara's vehicle so that Pamela could get her things.

7.

Officer Hagan then drove Pamela and Tamara to Tamara's vehicle. Tamara suggested to Officer Hagan that she take a breathalyzer test in order to show the officer that she had not been drinking and that she could therefore drive Pamela home. Officer Hagan told Tamara that she did not have to take a breathalyzer test, but she needed to go straight home with no stops and that he was going to bring Pamela home. Pamela retrieved her belongings from Tamara's car and Officer Hagan placed Pamela in the back of his police car and left before Tamara got into her car.

8.

While Officer Hagan drove Pamela home, he began asking her personal questions that made her very uncomfortable. He also asked her if she and her husband ever had other people in their relationship. Pamela was becoming increasingly afraid of Officer Hagan, so she asked him

if he could stop at a store so she could use the bathroom and he told her he couldn't. At some point, Officer Hagan drove Pamela into a dark parking lot of National Discount Tire located at 2018 Ambassador Caffery. He drove into the back of the building and got out of the car and opened Pamela's door. He asked if she wanted to get out of the car and pee behind National Discount Tire. Pamela was even more terrified. She told Officer Hagan no and that she lived one minute from there and could wait until she was home. He asked Pamela if she was sure and she said "yes, please bring me home."

9.

When Officer Hagan drove to the street Pamela's house was located on, Pamela saw the lights on in her twin sons' bedroom and told Officer Hagan that her kids were awake and would be coming outside to see why she was in a cop car. Officer Hagan parked in front of Pamela's residence and opened Pamela's door but stood in her way so she could not get pass him. Officer Hagan then put his arms around Pamela's waist and began rubbing her back up and down. He also began kissing her and forced his tongue in her mouth. Pamela tried pushing him away but Officer Hagan held her tightly and started kissing her neck and pulled her shirt and bra up and kissed her right breast. Officer Hagan then bit Pamela's breast nipple. At this point, Pamela urinated on herself and pushed Officer Hagan hard and ran into her house. Pamela cried hysterically and ran into her room and took a shower. She called several friends and told them what happened to her. Pamela contacted her husband, Donald S. Harris and told him what had happened to her and he then called 911 and reported Officer Hagan to the police.

10.

When the police arrived to Pamela's residence, her clothes were taken as evidence. DNA testing later revealed that Officer Hagan's DNA was located on Pamela's bra. Officer Hagan was subsequently arrested and charged with Sexual Battery. He was arraigned on or about July 17, 2012. He has a pre-trial date set for August 9, 2012. His employment with the Lafayette Police Department was terminated.

11.

As a result of the November 20, 2011 intentional torts of assault and sexual battery committed upon your plaintiff by **JACKIE HAGAN**, who was in the course and scope of his employment as a Lafayette police officer, the plaintiff sustained physical injury in addition to

severe emotional trauma and distress. Plaintiff has sought mental health treatment for her injuries. She has received counseling from Hearts of Hope and Tyler Mental Health Clinic.

12.

The injuries caused and aggravated by the described incident have caused the plaintiff prolonged pain and suffering, extending to the present date, and will continue to cause the plaintiff future pain, suffering, and medical expenses. As a result, the defendants are indebted to the plaintiff jointly and insolido, for reasonable damages in connection with the injuries, as well as past and future medical expenses. More particularly, **JACKIE HAGAN** is liable for the assault and sexual battery he committed upon your plaintiff while in the course and scope of his employment, and the **LAFAYETTE CITY/PARISH CONSOLIDATED GOVERNMENT** and **LAFAYETTE POLICE DEPARTMENT** are vicariously liable for the intentional tortuous acts committed by their employee, **JACKIE HAGAN**, while he was in the course and scope of his employment.

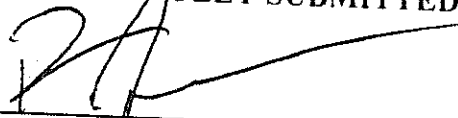
13.

Plaintiff itemizes her damages as follows:

- (a) Physicians professional service;
- (b) Prescription medications;
- (c) Pain and suffering resulting from the sexual battery.
- (d) Inconvenience and interruption of lifestyle
- (e) Future pain and suffering
- (f) Future medical expenses
- (g) Any other particulars which may come about

WHEREFORE PLAINTIFF PRAYS that defendants, **LAFAYETTE CITY/PARISH CONSOLIDATED GOVERNMENT**, **JOEY DUREL** in his official capacity as Lafayette City/Parish President, **LAFAYETTE POLICE DEPARTMENT** and **JIM CRAFT** in his official capacity as City of Lafayette Police Chief, and **JACKIE HAGAN** be served with a certified copy of the petition and cited to answer the same, and that due proceedings are held and a judgment is entered in favor of the plaintiff and against the defendants, jointly and in solido, for all damages as are reasonable in the premises, together with legal interest from judicial demand until finally paid, for all cost of these proceedings, and for any other and further legal and equitable relief as the Court deems necessary and proper.

RESPECTFULLY SUBMITTED:



ROSHELL JONES, APLC (#27466)

Attorney for PAMELA J. HARRIS

405 W. Main Street, Suite 107

Lafayette, Louisiana 70501

Telephone 337-504-3437

Facsimile 337-504-3937

PLEASE SERVE:

LAFAYETTE CITY/PARISH CONSOLIDATED GOVERNMENT
and JOEY DUREL in his official capacity as Lafayette City/Parish President at:
705 W. University Avenue, Lafayette, Louisiana 70506

LAFAYETTE POLICE DEPARTMENT
and JIM CRAFT in his official capacity as City of Lafayette Police Chief at:
900 E. University Avenue, Lafayette, Louisiana 70502

AND
JACKIE HAGAN at
194 Summer Ridge Loop
Sunset, LA 70584

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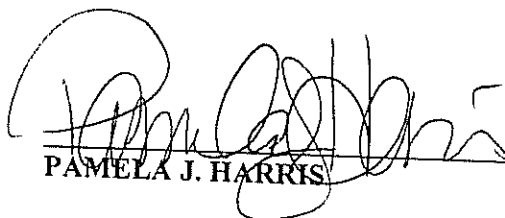
VERIFICATION

STATE OF LOUISIANA


PARISH OF LAFAYETTE

BEFORE ME, the undersigned Notary Public, duly qualified and commissioned in and for the State and Parish aforesaid, personally came and appeared PAMELA J. HARRIS., who, after being duly sworn, did depose and state:

That she is the plaintiff in the above and foregoing suit, that she has read the foregoing petition and all facts contained therein are true and correct to the best of her knowledge, information, and belief and that she desires judgment as prayed for therein.


PAMELA J. HARRIS

SWORN TO AND SUBSCRIBED before me, Notary Public, on this the 30th day of July, 2012.


NOTARY PUBLIC
ROSHELL FRANCIS-JONES, BAR NO. 27466
MY COMMISSION IS FOR LIFE