

STATE OF VERMONT
SUPERIOR COURT
CIVIL DIVISION

GREGORY BOMBARD,

Plaintiff,

v.

JAY RIGGEN, Vermont State Police
and STATE OF VERMONT

Defendants.

Wabington Unit
Docket No.

COMPLAINT

JURY TRIAL DEMANDED

INTRODUCTION

1. This is a civil rights action pursuant to 42 U.S.C. § 1983, the Vermont

Constitution, and Vermont Statutes. Plaintiff RIGGEN filed this Complaint against Defendant

Mr. Bombard and the Vermont State Police, alleging that Defendant Bombard "kicked and

displaced his middle finger on his heel," which Defendant Riggen filed to be a negative

3. In his judicial capacity, Plaintiff established a written policy for the Vermont State

Police which requires that any officer who is in possession of a firearm shall not

be held liable for any injury or damage caused by the discharge of a firearm while

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22. Defendant Riggen believed that Mr Broad displayed his "middle finger" to Defendant Riggen.

23. Defendant Riggen recognized he alleged that as an incident.

24. Defendant Riggen turned his car around and moved into traffic directly behind Mr Broad's car.

25. Defendant Riggen's dashboard camera and body microphone captured the incident and audio.

26. Once behind Mr Broad's vehicle, Defendant Riggen followed Mr Broad through the intersection at North Main Street and Levee Road.

27. Defendant Riggen then turned his car to commence a traffic stop.

28. Mr Broad pulled his vehicle to the side of the road immediately.

29. After his vehicle stopped, Defendant Riggen exited his vehicle and walked to Mr Broad's driver-side window.

30. Defendant Riggen confronted Mr Broad in an angry manner.

31. Mr Broad expressed confusion.

32. Defendant Riggen continued to speak to Mr Broad.

33. Defendant Riggen then told Mr Broad that he had a license plate.

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47. Defendant Riggen told Mr Board that his "fine behavior" was a deliberate act.

48. Defendant Riggen repeated that Mr Board's "fine behavior" was a deliberate act.

49. Defendant Riggen told Mr Board that "I'll be in front of you" is a deliberate act.

50. Mr Board exited his vehicle and Defendant Riggen told Mr Board that he was a "piece of shit".

51. Mr Board placed his hands on the car and Defendant Riggen told him to "put your hands off my car".

52. Mr Board called the police and told them that he was a victim of a crime.

53. Defendant Riggen repeated that he was a "piece of shit".

54. The words "piece of shit" which originated in Mr Board's mouth were repeated by Defendant Riggen and caused Mr Board to feel angry. Mr Board's alleged and actual injuries were not serious.

55. After Defendant Riggen finished hanging up the phone, Mr Board told him that his alleged and actual injuries were not serious.

56. Mr Board also told him that his car was damaged.

57. Defendant Riggen told him that "I'll be in front of your car" was a deliberate act.

58. Defendant Riggen then told Mr Board that his car was damaged because it was a "piece of shit".

59. Defendant Riggen denied Mr Brad's report of his car being
back

60. Defendant Riggen acted unreasonably when he denied Mr Brad's
vehicle was involved in a fatal car accident.

78. On December 17, 2018, the Court granted Mr. Broad's V.R.C.P. 12(d) motion to dismiss the § 1026(a)(5) charge for lack of a *prima facie* case because the complaint cannot be cured by amending it. The Court also granted the Defendant's motion to dismiss the DVD idea of the incident because the Defendant did not provide any evidence to support his claim. The Court also granted the Defendant's motion to dismiss the DVD idea of the incident because the Defendant did not provide any evidence to support his claim. The Court also granted the Defendant's motion to dismiss the DVD idea of the incident because the Defendant did not provide any evidence to support his claim.

91. Giving the fiddler finger to a police officer is a constitutional violation. The Supreme Court has held that the First Amendment to the U.S. Constitution and Article Thirteen of the Vermont Constitution.

92. In directing the Board to exercise his constitutional rights protected by the First Amendment to the U.S. Constitution and Article Thirteen of the Vermont Constitution,

97. Plaintiff acted as a police officer by using his hands and feet to restrain defendant and to search him. Plaintiff is entitled to summary judgment on his claim for damages under Article 18 of the Vermont Constitution.

98. In direct violation of his constitutional rights under Article 18 of the Vermont Constitution, Defendant Riggen arrested Mr. Broad.

99. Defendant Riggen repeatedly told Mr. Broad that he was a suspect in the murder of Mr. Broad's wife. He held Mr. Broad by the neck of his shirt and by the middle finger of his right hand.

105.

111. Giving the fiddling and ingenuity of the officer's actions, which are not protected by the First Amendment to the U.S. Constitution and Article Thirteen of the Vermont Constitution.

112. Defendant Riggens' initial refusal to accept Mr. Broad, and his refusal to accept Mr. Broad's vehicle, and her actions have chilled and constrained Mr. Broad's exercise of his right to the access of public places and expression of his political opinions.

113. The chilling and ongoing chill to Mr. Broad's speech has caused and continues to cause him financial damages.

REQUEST FOR RELIEF

Mr. Broad requests the following relief:

1. A declaration that Defendant Riggens' actions are illegal;
2. Compensatory damages;
3. The costs and expenses of this action, including reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b); and
4. Any other relief that the Court determines to be just and equitable.

JURY DEMAND

Plaintiff Gregg Broad demands a jury trial on all counts.

/s/ James Diaz
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Call Greg

Dated: February 3, 2021

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