

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

KENNETH KRAYESKE, :  
Plaintiff, :

:  
v. : CV \_\_\_\_\_

:  
CITY OF HARTFORD, :  
JEFF ANTUNA, ANDREW WEAVER, :  
ANDREW HAWKENS, JOHN DOE, :  
Defendants. : MAY 24, 2007

C O M P L A I N T

1. This is an action for false arrest, unreasonable bond and denial of the rights to freedom of expression, freedom of the press and due process of law arising under the First, Fourth, Eighth and Fourteenth Amendments to the United States Constitution.

2. Jurisdiction of this court is invoked under the provisions of Sections 1331, 1343(3), 1367(a) and 2201(a) of Title 28 and, 42 U.S.C. Section 1983.

3. The plaintiff, Kenneth Krayske, was at all times relevant to this action an adult resident of the State of Connecticut.

4. The defendant City of Hartford is a municipal corporation organized and operating under the laws of the State of Connecticut. It is a final policymaker for the Hartford Police Department.

5. Defendant Jeff Antuna was at all times relevant to this action, and he remains, a police officer employed by the City of Hartford. He is sued in his individual capacity only.

6. Defendant Andrew Weaver was at all times relevant to this action, and he remains, a police officer employed by the City of Hartford. He is sued in his individual capacity only.

7. Defendant Andrew Hawkens was at all times relevant to this action a law enforcement officer employed by the Connecticut State Police. He is sued in his individual capacity only.

8. John Doe was at all times relevant to this action a law enforcement officer acting under color of law. His true identity is unknown at this point. He is sued in his individual capacity.

9. Each defendant was acting under color of law at all times relevant to this action..

10. On the afternoon of January 3, 2007, Mr. Krayske, who is a free-lance journalist and photographer, was taking photographs of Gov. Jodi Rell as the governor marched in her inaugural parade.

11. Mr. Krayske had previously served as campaign manager for a rival of the governor's, Green Party gubernatorial candidate Clifford Wallace Thornton, Jr.. In that role, the plaintiff had been critical of the governor and her policies.

12. Prior to the inaugural parade, a member of the Connecticut State Police informed Hartford police officers that Mr. Krayske was among a group of political activists who

posed a possible threat to the governor. There was neither justification nor excuse for classifying Mr. Krayeske as a threat. Photographs of these activists were circulated among members of the Hartford Police Department.

13. The classification of political activists as possible threats to the governor violated the First and Fourteenth Amendments.

14. Rather than challenge the illegal classification of political activists as possible threats to the governor, the City of Hartford adopted this classification and characterization of select political activists. But for this adoption, there would have been no reason to single out Mr. Krayeske for arrest and detention.

15. As Mr. Krayeske stood taking photographs of the governor, Defendant Antuna recognized him from a photograph and placed him under arrest. The plaintiff was charged with breach of peace and interfering with a police officer.

16. The arrest of the plaintiff was unsupported by probable cause.

17. Prior to his arrest, Mr. Krayeske had written about the inauguration in an ironic tone, informing readers that "[T]ickets to see the Fairy Godmother turn herself into Cinderella are only \$150." Mr. Krayeske expressed dissent about the governor's priorities.

18. After Mr. Krayeske was arrested, Defendant Weaver read him his Miranda rights and asked the plaintiff the following: "If we let you go now, will you be going to the inaugural ball tonight?" Mr. Krayeske answered that he did not intend to go to the ball.

19. Thereafter, Defendants Weaver, Antuna and John Doe, whose identity is at this time unknown, conspired together to impose an unreasonable bond intended to prevent Mr. Krayeske from being released from custody while the governor's inaugural ball was taking place. Bond was set in the amount of \$75,000 and was not reduced to a promise to appear until after the inaugural ball had ended.

20. Defendant Hawkens also requested a high bond, leaving word with the Hartford Police Department that he was to be notified at the "Connecticut State Police at 550-1033" if Mr. Krayeske were released from custody before 8 p.m.

21. The unreasonable bond resulted in Mr. Krayeske's detention for more than 12 hours.

22. The criminal charges against the defendant were dismissed without the defendant's tendering consideration of any kind.

23. The manner in which Mr. Krayeske was placed upon a list led to his warrantless and unjustified arrest, resulting in a deprivation of his liberty interest as protected by the Fourteenth Amendment.

24. Mr. Krayeske was arrested in substantial part because he had engaged in protected speech critical of the governor in violation of his rights under the First Amendment.

25. Mr. Krayeske was subjected to a false arrest.

26. Mr. Krayeske was held on an unreasonable bond intended solely to prevent him from appearing at the governor's inaugural ball.

27. The acts of each individually named defendant were intentional and were inspired by malice.

28. As a direct and proximate result of the acts and omissions complained of herein, the plaintiff suffered fear, anxiety, loss of reputation, loss of liberty and the deprivation of the Constitutional rights herein described.

WHEREFORE, the plaintiff claims damages as follows:

1. Compensatory damages;
2. Punitive damages;

3. A declaratory ruling the municipal police departments may not compile and maintain lists of political activists;

4. Injunctive relief requiring the City of Hartford to destroy any lists in its possession of political activists;

2. Attorney's fees and costs, arising under 42 U.S.C. 1988.

## JURY CLAIM

The plaintiff claims trial by jury.

### THE PLAINTIFF

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