

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CALEB SAFFOLD,

Plaintiff,

v.

Case No: 3:25-cv-00001

VILLAGE OF SHOREWOOD HILLS, JOHN MAGINOT,
MEG HAMILTON, & RICHARD BAILEY,

Defendants.

COMPLAINT

Plaintiff Caleb Saffold, by his lawyers, Strang Bradley, LLC, for his complaint against Defendants states:

INTRODUCTION

1. On September 9, 2024, Caleb Saffold, a young black man, was pulled over by Defendant John Maginot in the Village of Shorewood Hills for allegedly having excessive window tint.

2. Defendant Maginot unreasonably extended the routine traffic stop for over twenty minutes so that a K-9 could arrive on scene. Maginot could have completed the traffic stop in a fraction of this time; however, he intentionally stalled to allow the K-9 to arrive.

3. Once the K-9 Officer and K-9 arrived at the traffic stop, Defendants Maginot, Hamilton, and Bailey invasively frisked Saffold despite lacking reasonable suspicion that he was armed or dangerous. They found nothing on Saffold's person.

4. After Saffold was frisked, the K-9 allegedly alerted on Saffold's car. But despite conducting a thorough search of the car, the officers found nothing illegal.

5. Thirty-five minutes after Saffold was pulled over, he was finally allowed to leave. He received three traffic warnings and no tickets.

JURISDICTION AND VENUE

6. This lawsuit is brought pursuant to 42 U.S.C. § 1983 to redress the deprivation under color of law of Plaintiff's rights as secured by the United States Constitution.

7. This Court has jurisdiction over federal claims pursuant to 28 U.S.C. § 1331.

8. Venue is proper under 28 U.S.C. § 1391(b)(2). The events giving rise to the claims asserted here occurred within this judicial district.

PARTIES

9. Plaintiff Caleb Saffold is a resident of the State of Wisconsin.

10. Defendant John Maginot was, at the time of this occurrence, employed as a police officer for Shorewood Hills Police Department.

11. At all times that Defendant Maginot interacted with Plaintiff on September 9, 2024, Maginot was acting under color of state and local law.

12. At all times that Defendant Maginot interacted with Plaintiff on September 9, 2024, Maginot was acting within the scope of his employment with Shorewood Hills.

13. Defendant Maginot is sued in his individual capacity.

14. Defendant Meg Hamilton was, at the time of this occurrence, employed as a police officer for the University of Wisconsin-Madison Police Department.

15. At all times that Defendant Hamilton interacted with Plaintiff on September 9, 2024, Hamilton was acting under color of state and local law

16. At all times that Defendant Hamilton interacted with Plaintiff on September 9, 2024, Hamilton was acting within the scope of her employment with the UW-Madison Police Department.

17. Defendant Hamilton is sued in her individual capacity.

18. Defendant Richard Bailey was, at the time of this occurrence, employed as a police officer for the University of Wisconsin-Madison Police Department.

19. At all times that Defendant Bailey interacted with Plaintiff on September 9, 2024, Bailey was acting under color of state and local law

20. At all times that Defendant Bailey interacted with Plaintiff on September 9, 2024, Bailey was acting within the scope of his employment with the UW-Madison Police Department.

21. Defendant Bailey is sued in his individual capacity.

22. Defendant Village of Shorewood Hills is a political subdivision of the State of Wisconsin and was the employer of individual Defendant John Maginot at the time of the occurrences giving rise to this lawsuit and is required to pay any tort judgment for damages for which its employees are liable for acts within the scope of their employment under WIS. STAT. § 895.46.

23. Defendant Village of Shorewood Hills is sued as an indemnitor.

FACTS

24. On September 9, 2024, Caleb Saffold drove on University Avenue near Hilldale Mall. This portion of University Avenue serves as Shorewood Hills's southern border with the City of Madison.

25. Saffold, whose license plate is "LON3R", was driving around the west side of Madison to relax that night. He was not driving to a destination.

26. Saffold is a 20-year-old black man.

27. The Village of Shorewood Hills is approximately 80% White. The village is less than 3% Black.¹

28. At about 9:26 P.M., Defendant Maginot pulled westbound onto University Avenue after observing a car driven by a black male (he would later learn it was Saffold) that allegedly had excessive window tint.

29. By the time Maginot pulled onto University Avenue, Saffold was about a block and a half ahead of Maginot's squad car. There were no cars in Maginot's immediate vicinity.

30. The image below is from Maginot's squad camera at the moment he turned onto University Avenue.

¹https://censusreporter.org/data/table/?table=B02001&geo_ids=16000US5573750&primary_geo_id=16000US5573750



31. Over the next 14 seconds, Defendant Maginot accelerated to nearly 60 miles per hour in a 35 mile per hour zone. He crossed multiple intersections and parking lot entrances during this time.

32. At any point during these 14 seconds, Maginot could have activated his lights to initiate a traffic stop of Saffold's vehicle. He chose not to.

33. Eventually, while Defendant Maginot was still more than a block behind Saffold, Saffold made a legal right turn into a Walgreen's parking lot.

34. Walgreen's was open at the time Saffold pulled into the parking lot.

35. At the time Saffold turned into the Walgreen's parking lot, Maginot had not activated his lights.

36. Maginot only activated his lights after Saffold's car was in the Walgreen's parking lot off University Avenue.

37. Maginot proceeded to turn right into the Walgreen's parking lot. He accelerated to over 30 miles per hour while driving through the parking lot where customers were present.

38. Maginot could not see Saffold's car as he drove through the parking lot. The Walgreen's building blocked Saffold from seeing Maginot's activated lights.

39. Maginot cleared the Walgreen's building and turned left onto Fern Drive.

40. At this point, Saffold could see Maginot's lights for the first time. He immediately pulled over on Rose Place.

41. Saffold pulled over at 9:27 P.M.

42. Maginot then exited his squad car and approached the passenger side of Saffold's vehicle.

43. Maginot explained to Saffold that he had pulled him over for having excessive window tint. He then told Saffold that he was going to measure the tint of his windows to confirm whether they were outside of the permissible range.

44. During this interaction, Maginot allegedly observed that Saffold had "watery" eyes.

45. Maginot is not a trained drug recognition expert.

46. Maginot asked Saffold if he had taken drugs, which Saffold denied. Saffold also denied having any drugs in his car.

47. Maginot then returned to his squad car at about 9:30 P.M.

48. Maginot returned to Saffold's car at 9:32 pm. He proceeded to test the tint of Saffold's car windows.

49. Maginot allegedly confirmed Saffold's window tint was too dark. Maginot briefly explained the tint laws to Saffold.

50. Maginot then returned to his car at 9:34 p.m.

51. At approximately 9:35 P.M., Maginot requested a K-9 officer over his radio.

52. At 9:37 P.M., dispatch informed Maginot that the K-9 officer was en route from Middleton.

53. At 9:39 P.M., Maginot briefly reapproached Saffold's car for a third time and asked Saffold, again, whether he had taken any drugs. Saffold again denied any drug use.

54. Maginot then returned to his squad car.

55. At 9:40 P.M. Maginot returned to Saffold's car for a fourth time to inform him that he had expired license plates. As Maginot walked towards Saffold's car, Defendants Hamilton and Bailey arrived at the traffic stop in their squad car.

56. Maginot then asked Saffold where he was driving. Saffold explained to him that he was just driving around that night and did not have a destination.

57. Maginot proceeded to ask Saffold, again, if he had used cannabis recently. Saffold, again, denied that he had used cannabis and explained that he does not use any drugs.

58. Saffold also explained to Maginot that he had not seen Maginot's squad car pull out behind him.

59. Maginot then told Saffold he still had to finish some paperwork. Maginot returned to his vehicle at 9:42 P.M.

60. Once back in his vehicle, Maginot told Hamilton and Bailey that Saffold had driven through the Walgreen's parking lot after Maginot had pulled onto University Avenue.

61. Maginot also claimed that Saffold was refusing to tell him where he was going. Maginot did not tell Hamilton and Bailey that Saffold had explained he was just out for a drive that night.

62. Maginot further claimed he had seen Saffold with watery eyes when he arrived. However, he conceded to Hamilton and Bailey, “I don’t have enough to literally ask for fields. Except for the watery eyes, he denied any cannabis use. So, I’m just going to continue to work on my warnings. Once the Middleton K-9 gets here, we’ll go from there.”

63. Maginot then noted that Saffold has no criminal history but received three civil ordinance violations in the City of Madison in 2021. The violations occurred while Saffold was in high school.

64. At 9:44 P.M., Maginot asked Bailey to go up and verify Saffold’s current address.

65. At 9:45 P.M., Bailey returned to Maginot’s vehicle and confirmed the address on Saffold’s license was his current address.

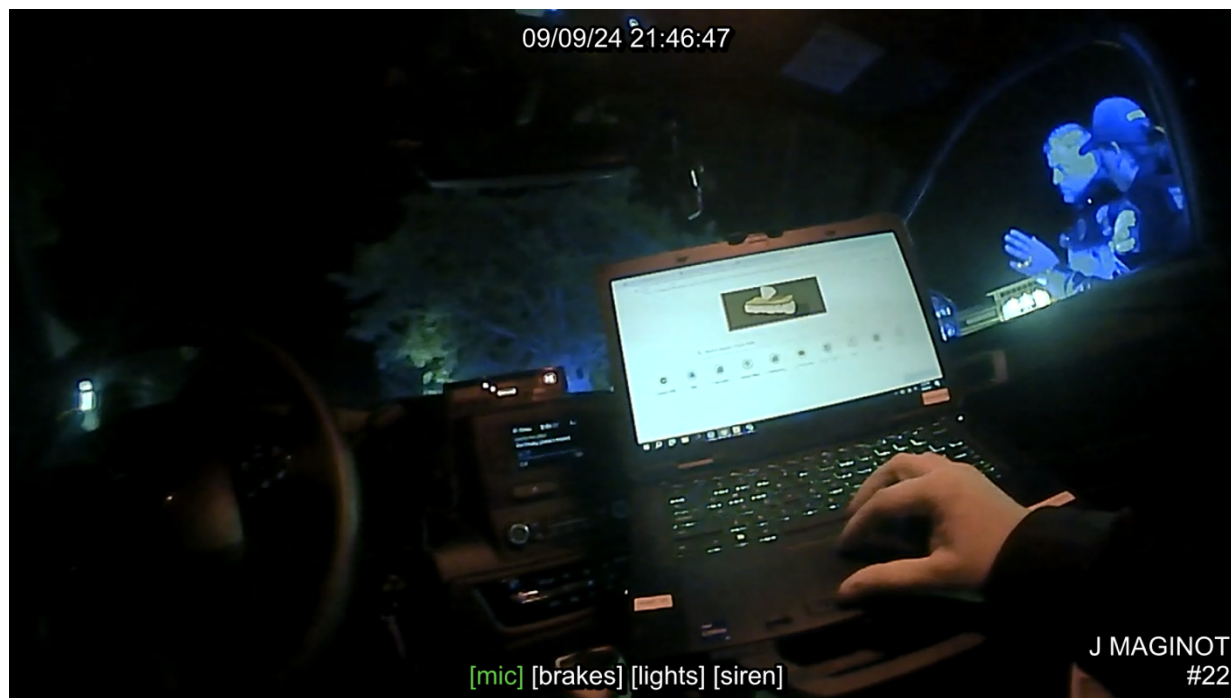
66. Maginot then reiterated to Hamilton and Bailey that he had not smelled any cannabis during his four visits to Saffold’s vehicle. Maginot also had not seen anything in Saffold’s car consistent with drug use or possession.

67. During the conversations with Hamilton and Bailey, Maginot had Saffold’s traffic warnings open on his computer but only occasionally worked to complete them.

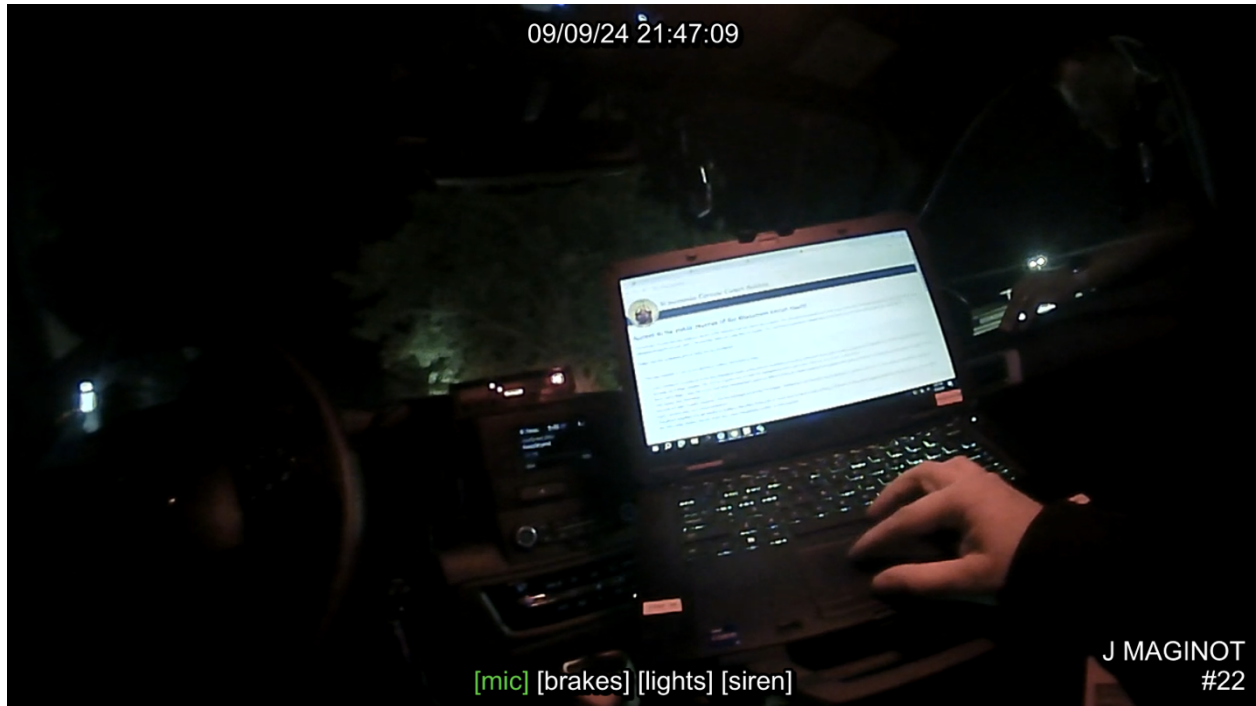
68. At 9:46 P.M., Maginot told Hamilton and Bailey that “it seems” like he had reasonable suspicion to hold Saffold for the K-9 sniff.

69. Accordingly, Maginot began to intentionally delay the traffic stop until the K-9 Officer arrived.

70. Maginot toggled his computer to Google and began searching.



71. Although he had already obtained Saffold's criminal history, Maginot then returned to searching CCAP on his computer.



72. Maginot searched Google and CCAP for over one minute.

73. Once Maginot finished searching Google and CCAP, he printed Saffold's warnings without making any additions or changes.

74. Maginot finished printing out Saffold's three warnings at 9:47 P.M., twenty minutes after he initiated the traffic stop. A minute later, he removed the tickets from his printer.

75. While the warnings were printing, Bailey told Maginot that Hamilton had returned to her squad car because there was no known weapon; therefore, there was no threat that warranted three officers standing near Saffold's car.

76. After Maginot printed the warnings, he did not immediately take his warnings to Saffold. Instead, Maginot continued to intentionally stall until the K-9 officer arrived.

77. Although Maginot had already searched Saffold's criminal history twice, he continued to search Saffold on CCAP.

78. Despite having Saffold's driver's license in his hand, he claimed, "I keep spelling his name wrong" as he searched CCAP.

79. With Saffold's warnings in Maginot's hands, Maginot and Bailey proceeded to have a conversation about a white van that was parked in a nearby parking lot.

80. At 9:49 P.M., 22 minutes after the stop began, a K-9 Officer from the City of Monona Police Department arrived on scene.

81. Maginot expressed he was surprised that the K-9 Officer was from Monona and not Middleton, as dispatch had told him.

82. Maginot proceeded to talk to the Monona K-9 Officer for about a minute. He reiterated that he had not smelled any odor of THC in Saffold's car and that Saffold had no prior drug history. Maginot continued to hold Saffold's printed warnings in his left hand during this conversation.

83. The Monona K-9 Officer and Bailey then went to Saffold's car at 9:50 P.M. Maginot remained in his squad car while holding Saffold's printed traffic warnings.

84. During this time, Maginot moved his mouse between icons on his computer while the K-9 Officer approached Saffold's car.

85. At 9:51 pm, 24 minutes after the stop began, Maginot continued to stall by unfolding and refolding Saffold's traffic warnings.



86. Maginot then exited his squad car. However, he remained standing by his squad car while the K-9 officer spoke to Saffold.

87. Only after the K-9 officer ordered Saffold out of his car did Maginot re-approach Saffold.

88. Maginot then instructed Saffold to step back to Maginot's squad car so he could explain the traffic warnings. Saffold complied.

89. Once the two reached the front Maginot's squad car, Maginot asked if Saffold had any weapons on his person, which Saffold denied.

90. Maginot then asked for consent to search Saffold. Saffold responded that he was not providing consent to be searched.

91. Maginot responded, "Ok, that's fine" and began to walk away from Saffold.

92. Maginot walked away from Saffold because he knew he did not have reasonable suspicion to conduct the frisk absent Saffold's consent.

93. Hamilton then called out, "Officer! Frisk. Do a frisk."

94. Maginot replied, "Ok," and began to frisk Saffold, including by intruding into and under Saffold's clothing.

95. As Maginot frisked Saffold, Hamilton explained, "This is just standard whenever we take people out of vehicles."

96. Hamilton did not order Maginot to conduct the frisk because she believed there was reasonable suspicion that he was armed or dangerous. In fact, Hamilton had previously stated she was returning to her squad car because she did not believe Saffold was armed or dangerous.

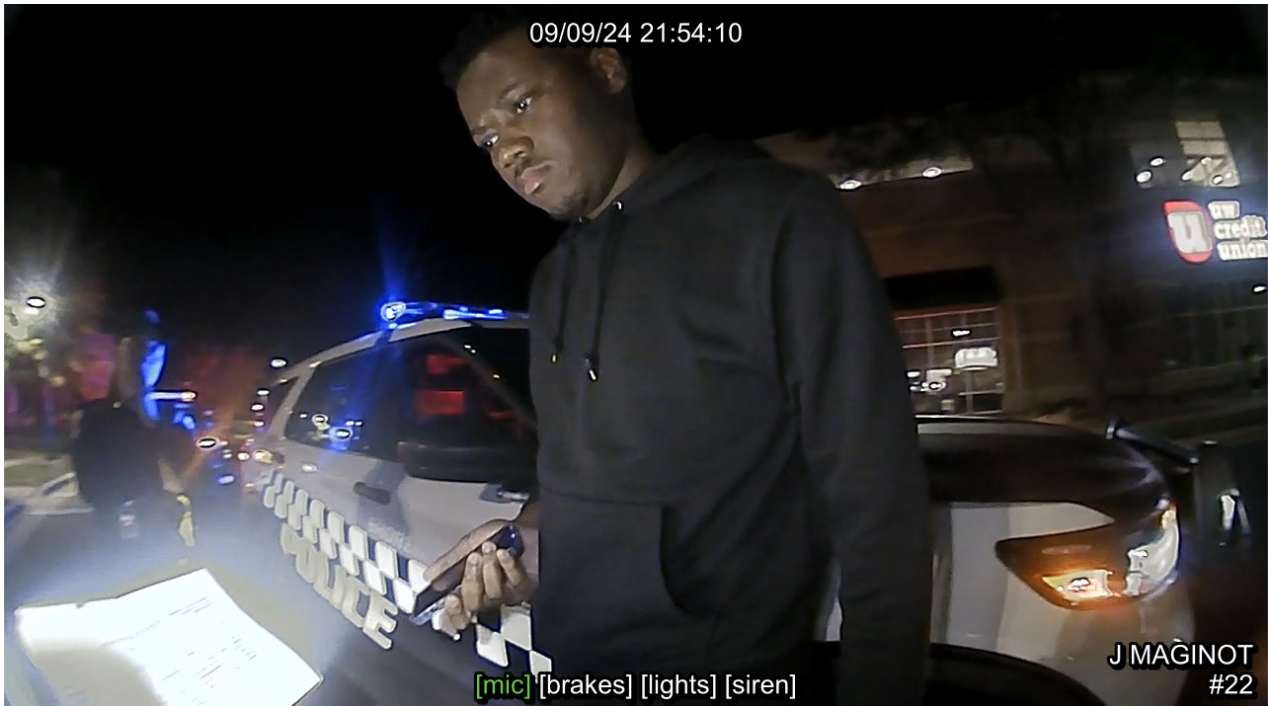
97. Rather, Hamilton ordered the frisk because it was her standard practice to frisk every motorist she ordered to step out of their vehicle, regardless of whether she believed the search was supported by reasonable suspicion.

98. Bailey stood by and watched the frisk but did not intervene.

99. Bailey knew, based on his personal observations and conversations with Maginot, Hamilton, and Saffold, that there was not reasonable suspicion to believe that Saffold was armed or dangerous.

100. Maginot did not find anything on Saffold's body during this frisk.

101. At 9:52 P.M., Maginot explained to Saffold why he had requested a K-9. Maginot stated that Saffold had watery eyes “when he first pulled up.” But Maginot conceded that he did “not believe [Saffold] was on cannabis or anything.”



102. Maginot had intentionally delayed the traffic stop for a K-9 to arrive even though he did not believe Saffold was on drugs and had not seen any evidence of drug possession in Saffold’s vehicle.

103. At 9:54 P.M., Maginot finally began to issue Saffold’s three traffic warnings.

104. This was 27 minutes after Maginot initiated Saffold’s traffic stop. It was also 7 minutes after Maginot had finished printing the warnings.

105. At some point during this conversation, and after Saffold was frisked, the K-9 allegedly “hit” on Saffold’s car.

106. Maginot and the K-9 officer proceeded to conduct a thorough search of Saffold's car.

107. They did not find anything illegal in Saffold's car. This was because Saffold did not have anything illegal in his car.

108. At 10:02 P.M., Maginot finally told Saffold he was free to leave.

109. Saffold was forced to wait 35 minutes, was frisked, and had his car searched for a traffic stop that resulted in three minor traffic warnings.

110. Saffold was detained but never formally arrested as a result of the traffic stop or the subsequent searches of his person and vehicle. He was, however, not free to leave for at least 35 minutes and thus the subject of a seizure under the Fourth Amendment to the United States Constitution.

111. Saffold was never charged with any crimes or municipal violations related to the search of his person or vehicle.

112. Maginot, Hamilton, and Bailey wasted Saffold's time by unlawfully extending the traffic stop, violated his privacy, and humiliated him by frisking him in the middle of a neighborhood for simply driving his car on a fall night in Shorewood Hills.

COUNT 1:
42 U.S.C. § 1983 Claim for Unlawful Seizure, Search,
and Failure to Intervene

113. Plaintiff realleges the above paragraphs.

114. Defendant Maginot seized the Plaintiff by stopping his vehicle and not letting him leave.

115. Defendant Maginot unlawfully extended this seizure by not issuing Plaintiff his traffic warnings until a K-9 Officer and K-9 arrived.

116. Defendant Maginot's extended seizure was unlawful because it was done without reasonable suspicion that Plaintiff had committed, was committing, or was soon to commit any offense other than the minor traffic violations for which he already had completed written warnings.

117. Defendants Hamilton and Bailey knew there was not reasonable suspicion for the continued detention of Plaintiff and allowed him to remain seized anyway.

118. Defendants Hamilton and Bailey failed to intervene in a constitutional violation they knew was happening in front of them and could have stopped.

119. Hamilton in fact committed an additional unlawful search and seizure by directing the intrusive frisk of Plaintiff, unsupported by reasonable suspicion or other constitutional justification.

120. Defendants Maginot, Hamilton, and Bailey thus violated Plaintiff's Fourth Amendment rights to be free from unreasonable search and seizure.

121. The aforementioned actions of Defendants Maginot, Hamilton, and Bailey were the direct and proximate cause of Plaintiff's dignitary injuries and deprivation of personal liberty set forth above.

WHEREFORE, under 42 U.S.C. § 1983, Plaintiff demands actual or compensatory damages against Defendants Maginot, Hamilton, and Bailey; and because they acted maliciously, wantonly, or oppressively, punitive damages; the costs of this action; attorneys' fees; and such other and further relief that the Court deems just and equitable.

COUNT 2:
42 U.S.C. § 1983 Claim for Unlawful
Search/ Illegal Frisk

122. Plaintiff realleges the above paragraphs.

123. Defendant Maginot searched and seized Plaintiff by patting him down. Plaintiff did not consent, and Maginot did not have reasonable suspicion or any other constitutional justification to support that further search and seizure.

124. The actions of Defendant Maginot in frisking Plaintiff without a warrant and without any other permissible lawful reason to do so violated Plaintiff's Fourth Amendment right to be free from unreasonable search and seizure and thus violated 42 U.S.C. § 1983.

125. Defendant Hamilton ordered Maginot to unreasonably frisk Plaintiff.

126. Defendants Hamilton and Bailey knew there was not reasonable suspicion that the Plaintiff was armed and dangerous but allowed him to be frisked anyway.

127. Defendants Hamilton and Bailey failed to intervene in a constitutional violation they knew was happening before them and could have stopped.

128. Defendants Maginot, Hamilton, and Bailey thus violated Plaintiff's Fourth Amendment rights to be free from unreasonable seizures and searches.

129. The aforementioned actions of Defendants Maginot, Hamilton, and Bailey were the direct and proximate cause of Plaintiff's dignitary injuries and deprivation of personal liberty set forth above.

WHEREFORE, under 42 U.S.C. § 1983, Plaintiff demands actual or compensatory damages against Defendants Maginot, Hamilton, and Bailey; and because they acted

maliciously, wantonly, or oppressively, punitive damages; the costs of this action; attorneys' fees; and such other and further relief that the Court deems just and equitable.

**COUNT 3:
Indemnification Claim Against Village of Shorewood Hills**

130. Plaintiff realleges the above paragraphs.

131. Wisconsin law, WIS. STAT. § 895.46, requires public entities to pay any tort judgment for damages for which employees are liable for acts within the scope of their employment.

132. At all times relevant to this action, Defendant Maginot engaged in the conduct complained of while he was on duty and in the course and scope of his employment with the Village of Shorewood Hills.

WHEREFORE, Plaintiff asks this Court to find that the Village of Shorewood Hills is liable to defend this action against Defendant Maginot and to satisfy any judgment entered against him by virtue of WIS. STAT. § 895.46.

JURY DEMAND

Plaintiff hereby demands a trial by jury, pursuant to FED. R. CIV. PRO. 38(b), on all issues so triable.

Respectfully submitted,

Dated: 2 January 2025,

/s/ William E. Grau
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