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Autistic Man and His Mother Sue City of Cincinnati and Officers for Brutal Attack and False Charges

Brandon Davis was attacked, arrested, jailed, and prosecuted for walking while Black.

Cincinnati, Ohio (February 3, 2021) – **Brandon Davis**, a 32-year-old, autistic Black man, left his friend’s apartment on February 4, 2019, to walk a few blocks back to the home he shared with his mother. Instead of arriving home safely, Davis was stopped by two Cincinnati police officers—Emily Heine and Weston Voss—even though he had committed no crime. Though Brandon Davis had done nothing other than exit his friend’s apartment building and walk down Beekman Street, and though Heine and Voss had no reasonable suspicion for the stop, they proceeded to target him for walking while Black.

After stopping Davis, Voss and Heine shoved him into a fence, and then Heine tased Davis over and over—for a total of seven taser cycles—within a two minute and 14 second period. Heine and Voss pushed Davis to the ground and Voss dug his knee into Davis’ back while Heine shoved her taser into Davis’ back, sending electricity into his body with the taser in drive-stun mode.

During these events, Brandon used his cell phone to call his mother **Nicole Davis** because he needed help—one of several safety routines Brandon and Nicole employ to aid Brandon in navigating the world with autism. Nicole heard her son’s screams of anguish, pain, and fear over the phone—and then ringing through the air as she ran out of her house and down the street toward him.

After Heine and Voss stopped attacking Davis, they provided false reports and statements about Brandon’s conduct to justify their misconduct, and then initiated prosecution against him even though he had committed no crime. Brandon was arrested and spent the night in jail, and then faced prosecution for several months before being acquitted on all charges at trial.

The Cincinnati Police Department reviewed Heine’s and Voss’s conduct and found that their use of the taser was within department policy and procedure. Neither police officer was ever disciplined for their misconduct. The City’s taser policies and training programs do not properly train officers on taser use,

and statistics gathered as part of the Collaborative Agreement demonstrate the CPD's practice of targeting Black people for stops and arrests.

Brandon Davis states, "I am filing this lawsuit because what they did to me was terrible. I did nothing wrong. They hurt me. I want these police officers off the streets—in Cincinnati and anywhere else they try to get a job. I hope the Department does the right thing."

Nicole Davis says, "I worked so hard for so many years to protect Brandon from experiencing something like this, but they traumatized him forever when all he did was walk down the street to his house. The CPD has a history of racial profiling and police brutality against Black people. Police officers continue to engage in this conduct because they know their fellow officers won't report them. I don't want this to happen to any man, woman, or child again. This has to stop, and it has to stop now."

Yesterday, Brandon and Nicole Davis filed a federal civil rights lawsuit to seek accountability for this unconstitutional stop, attack, arrest, and prosecution. They are represented by attorneys at [Friedman, Gilbert + Gerhardstein](#).

"These police officers abused their power in the most unconscionable way when they stopped, attacked, and arrested Brandon off the street. They stopped him for no reason other than that he happened to be a Black man walking at night. He had done nothing wrong, and what they did to him was unlawful," states Jacqueline Greene, partner at Friedman, Gilbert + Gerhardstein. "Both Brandon and his mother continue to suffer because of the trauma and terror inflicted upon them by Cincinnati police. The City and the defendant officers must account for this blatantly unconstitutional and unreasonable conduct."

About Friedman, Gilbert + Gerhardstein: With more than 40 years of civil rights and criminal defense trial experience, FG+G fights for our clients' fundamental rights. FG+G attorneys aggressively pursue and expose misconduct by police, jailers, and governments to demand accountability for our clients and to defend those charged in criminal cases. For more information: www.FGGfirm.com