

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

SAKEENA MAJEED

[REDACTED]

Rocky River, Ohio 44116

Plaintiff,

vs.

CUYAHOGA COUNTY

c/o Timothy McGinty, Cuyahoga County

Prosecutor

The Justice Center

1200 Ontario Street

Cleveland, Ohio 44113

and

CUYAHOGA COUNTY SHERIFF, Frank Bova,

in his official capacity,

1215 West 3rd Street

Cleveland, Ohio 44113

and

REGINA WATTS,

individually and in her official capacity as a

Cuyahoga County Corrections Officer,

1215 West 3rd Street

Cleveland, Ohio 44113

Defendants.

) CASE NO.

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) JUDGE

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) **COMPLAINT**

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) (Jury Demand Endorsed Hereon)

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Plaintiff Sakeena Majeed (“Majeed”), for her Complaint against Cuyahoga County (the “County”), Cuyahoga County Sheriff Frank Bova in his official capacity (the “Sheriff”), and Regina Watts, individually and in her official capacity as a Cuyahoga County Corrections Officer (“Watts”) (the County, the Sheriff, and Watts are, collectively, “Defendants”), alleges as follows:

INTRODUCTION

1. Sakeena Majeed is a Muslim who was forced to attend Christian prayer services against her will, and despite her repeated objections, by the Cuyahoga County Sheriff's Department while incarcerated at the Cuyahoga County Jail. This is an action to secure redress for the violation of her rights under the Religious Land Use and Institutionalized Persons Act, the Free Exercise Clause and Establishment Clause of the First Amendment to the United States Constitution, and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

PARTIES

2. At all times relevant to this lawsuit, Majeed was a United States citizen and resident of the State of Ohio.
3. Majeed is a "person" within the meaning of the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. §§ 2000cc-1, *et seq.*
4. At all times relevant to this lawsuit, all Defendants were a "government" within the meaning of the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. §§ 2000cc-1, *et seq.*
5. The Sheriff is an official, officer, or employee of Cuyahoga County, appointed pursuant to the Cuyahoga County Charter, and tasked, in part, with operation and overseeing of the Cuyahoga County Jail.
6. The Cuyahoga County Jail is a program or activity that receives federal funds.
7. Watts is a Cuyahoga County Corrections Officer who works at the Cuyahoga County Jail.
8. Watts is an employee of the Cuyahoga County Sheriff.
9. Watts is a "person" within the meaning of 42 U.S.C. § 1983.

10. At all times relevant to this lawsuit, for purposes of federal law, Watts was a “state actor,” acting under color of state law.
11. At all times relevant to this lawsuit, Watts was an employee, agent, and/or servant of the County and the Sheriff, acting in the course and scope of her employment, agency, and/or service.

JURISDICTION AND VENUE

12. Jurisdiction is proper in this Court pursuant to 28 U.S.C. § 1331 because the claims involved arise under the Constitution and laws of the United States, and pursuant to 28 U.S.C. § 1343(a)(3).
13. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 because the events giving rise to this lawsuit occurred in this District.

FACTUAL ALLEGATIONS

14. On approximately April 11, 2014, Ms. Majeed began serving a sixty-day sentence at the Cuyahoga County Jail, where she was housed in the fourth floor trustee pod.
15. There are no doors or locks on the inmate rooms in the trustee pod.
16. Inmates in the trustee pod are not confined to their rooms, and are permitted to travel throughout common areas of the pod.
17. Upon Majeed’s arrival at the trustee pod, Watts instructed Majeed that she would be required to attend weekly Christian prayer services every Friday afternoon.
18. When Majeed objected that she is Muslim, and that participating in Christian services is contrary to her religious faith, Watts threatened her with solitary confinement if she refused.

19. As a result, for the duration of her incarceration, Defendants forced Majeed to attend weekly Christian prayer services against her will, and contrary to her religious faith.
20. When Majeed refused to actively participate in the services she was compelled to attend, another Corrections Officer, (first name unknown) Beckham, openly chastised and mocked her.
21. The conduct described above was witnessed by other inmates in the trustee pod.
22. Majeed repeatedly complained to both Watts and the supervising Corporal (name unknown) that she was being forced to attend religious services against her religious faith, but Defendants failed or refused to cease their behavior towards Majeed.
23. Majeed was released on or about June 10, 2014, and is not currently incarcerated.

FIRST CLAIM FOR RELIEF –
RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT
(Against the County, the Sheriff, and Watts in her official capacity)

24. Majeed realleges each and every allegation set forth above as if fully rewritten.
25. During the time relevant to this lawsuit, Majeed was incarcerated at the Cuyahoga County Jail.
26. Through the conduct described above, Defendants forced Majeed to choose between following the precepts of her religion and forfeiting benefits, and/or placed substantial pressure on her to modify her religious behavior and violate her religious beliefs.
27. Defendants' actions imposed a substantial burden on Majeed's religious exercise.
28. As a direct and proximate result of Defendants' conduct, Majeed: suffered emotional distress and humiliation; incurred costs and expenses, such as attorneys' fees and costs of suit; and, was otherwise injured. Some or all of Majeed's damages will continue to accrue in the future.

29. Defendants are therefore liable to Majeed under the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc-1, *et seq.*

SECOND CLAIM FOR RELIEF –
THE FREE EXERCISE CLAUSE

(Against Watts in her official and individual capacities)

30. Majeed realleges each and every allegation set forth above as if fully rewritten.

31. As a Muslim, Majeed has sincerely held religious beliefs.

32. Attending or participating in Christian religious services or practices is contrary to Majeed's sincerely held religious beliefs.

33. Through the conduct described above, Watts placed substantial pressure on Majeed to modify her behavior and/or violate her sincerely held religious beliefs.

34. Watts' conduct infringed upon and/or substantially burdened Majeed's sincerely held religious beliefs.

35. In committing the acts described above, Watts was acting under color of state law.

36. In committing the acts described above, Watts intentionally and/or recklessly deprived Majeed of rights, privileges, or immunities secured for her by the Constitution and laws of the United States.

37. Watts' actions were the proximate cause of Majeed's injuries.

38. Watts is therefore liable to Majeed pursuant to 42 U.S.C. § 1983 for violating her First and Fourteenth Amendment rights, specifically her rights under the Free Exercise Clause.

39. As a direct and proximate result of Watts' conduct, Majeed: suffered emotional distress and humiliation; incurred costs and expenses, such as attorneys' fees and costs of suit; and, was otherwise injured. Some or all of Majeed's damages will continue to accrue in the future.

40. The conduct of Watts, as described above, was done maliciously and/or with reckless indifference to Majeed's federally protected rights, for which Watts, in her individual capacity, is liable for punitive damages.

THIRD CLAIM FOR RELIEF –
THE ESTABLISHMENT CLAUSE
(Against Watts in her official and individual capacities)

41. Majeed realleges each and every allegation set forth above as if fully rewritten.
42. Through the conduct described above, Watts coerced Majeed to support or participate in Christian religious activities.
43. Majeed objected to being coerced to support or participate in Christian religious activities and was forced to support or participate in them over her objection.
44. Watts' conduct, described above: did not have a secular purpose; or, had the principal or primary effect or purpose of advancing Christian religious beliefs and/or inhibiting Majeed's Muslim religious beliefs; or, fostered an excessive government entanglement with religion.
45. In committing the acts described above, Watts was acting under color of state law.
46. In committing the acts described above, Watts intentionally and/or recklessly deprived Majeed of rights, privileges, or immunities secured for her by the Constitution and laws of the United States.
47. Watts' actions were the proximate cause of Majeed's injuries.
48. Watts is therefore liable to Majeed pursuant to 42 U.S.C. § 1983 for violating her First and Fourteenth Amendment rights, specifically her rights under the Establishment Clause.

49. As a direct and proximate result of Watts' conduct, Majeed: suffered emotional distress and humiliation; incurred costs and expenses, such as attorneys' fees and costs of suit; and, was otherwise injured. Some or all of Majeed's damages will continue to accrue in the future.
50. The conduct of Watts, as described above, was done maliciously and/or with reckless indifference to Majeed's federally protected rights, for which Watts, in her individual capacity, is liable for punitive damages.

FOURTH CLAIM FOR RELIEF –
THE EQUAL PROTECTION CLAUSE
(Against Watts in her official and individual capacities)

51. Majeed realleges each and every allegation set forth above as if fully rewritten.
52. As a Muslim, Majeed is a member of a protected class under the Equal Protection Clause of the Fourteenth Amendment.
53. As an inmate in the trustee pod, Majeed was similarly situated to practicing Christian inmates in the trustee pod.
54. Watts' did not force practicing Christian inmates to attend, support, or participate in religious services for any other religions, or to otherwise act in a manner contrary to their religious beliefs and practices.
55. Watts' treated Majeed less favorably than similarly situated practicing Christian inmates by forcing her to attend, support, or participate in religious services that were contrary to her religious beliefs and practices, whereas Watts did not force practicing Christian inmates to do so contrary to their religious beliefs and practices.
56. Watts acted without sufficient legal basis or justification.

57. Watts' conduct, described above, was intentional and motivated by purposeful discrimination against Muslims and/or against non-Christians.
58. In committing the acts described above, Watts was acting under color of state law.
59. In committing the acts described above, Watts intentionally and/or recklessly deprived Majeed of rights, privileges, or immunities secured for her by the Constitution and laws of the United States.
60. Watts' actions were the proximate cause of Majeed's injuries.
61. Watts is therefore liable to Majeed pursuant to 42 U.S.C. § 1983 for violating her Fourteenth Amendment rights under the Equal Protection Clause.
62. As a direct and proximate result of Watts' conduct, Majeed: suffered emotional distress and humiliation; incurred costs and expenses, such as attorneys' fees and costs of suit; and, was otherwise injured. Some or all of Majeed's damages will continue to accrue in the future.
63. The conduct of Watts, as described above, was done maliciously and/or with reckless indifference to Majeed's federally protected rights, for which Watts, in her individual capacity, is liable for punitive damages.

WHEREFORE, Majeed prays for judgment against Defendants for:

- (a) emotional distress damages and other compensatory damages in amounts that will fully and fairly compensate her for her injury, damage, and loss;
- (b) equitable and prospective injunctive relief;
- (c) a declaratory judgment holding that Defendants have violated Majeed's constitutional and statutory rights;

- (d) punitive damages against Watts in her individual capacity;
- (e) attorneys' fees and costs of suit under 42 U.S.C. § 1988, 42 U.S.C. § 2000cc-2(a), and other applicable federal laws; and,
- (f) such other appropriate relief as the Court deems just.

JURY DEMAND

A trial by jury is hereby demanded in the within matter in the maximum number of jurors allowed by law.

Respectfully submitted,

/s/ Matthew D. Besser
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