

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DETROIT WILL BREATHE,
TRISTAN TAYLOR, NAKIA WALLACE,
JAZTEN BASS, LAUREN ROSEN, LAURYN
BRENNAN, AMY NAHABEDIAN, ZACHARY
KOLODZIEJ, LAUREN BRANCH,
LILLIAN ELLIS, OLIVIA PUENTE,
IMAN SALEH, MARGARET HENIGE,
CAYLEE ARNOLD, and ALEXANDER ANEST,

Case No. 2:20-cv-12363
Hon: Laurie J. Michelson

Plaintiffs,

vs.

CITY OF DETROIT, a municipal corporation,
MAYOR MICHAEL DUGGAN, acting in his official
and individual capacities, CHIEF JAMES CRAIG, acting in his official
and individual capacities, OFFICER STEPHEN ANOUTI, SERGEANT
TIMOTHY BARR, OFFICER DAVID HORNSHAW, OFFICER MARIAH
ERARD, and OFFICER DOES 1-100 inclusive,
acting in their respective individual capacities, all jointly and severally,

Defendants.

JOINT ORDER TO PRESERVE THE STATUS QUO

For the reasons stated in prior Orders and by mutual agreement of the parties,
the City of Detroit, including the Detroit Police Department, and all other officers,
agents, and departments under the Police Department's control (for purposes of this
order, "the City") is enjoined from:

- Using striking weapons (including, but not limited to, batons and shields), chemical agents, (including, but not limited to, tear gas and pepper spray), or rubber bullets (aka “baton rounds”) against any individual peacefully engaging in protest or demonstrations who does not pose a physical threat to the safety of the public or police;
- Deploying chemical agents or a sound canon (aka “LRAD” for long-range acoustic device) against persons peacefully engaging in protest or demonstrations without an audible warning and a reasonable amount of time to disperse;
- Placing in a chokehold or ramming with a vehicle any individual attending a demonstration;
- Tightening the zip ties (aka “flex cuffs”) or handcuffs placed on any individual to the point that the restraints cause physical injury, including loss of circulation or change in color;
- Arresting any demonstrators en masse without probable cause.

In the event that Plaintiffs seek relief for an alleged violation of this Order, the City must respond to the motion within 24 hours.

As set forth in ECF No. 37, nothing in this Order (1) suspends any laws that prohibit violent or destructive actions by protesters or (2) prevents Detroit police from (a) reasonably and lawfully protecting themselves and the public against

violence perpetrated by protesters that could harm officers or the public (including protesters throwing objects at police, such as frozen water bottles, bricks, bottle rockets, or cherry bombs); or (b) taking reasonable and lawful action against protesters who violate any laws or resist arrest (e.g. ordering protesters to cease unlawful activity, or using reasonable force to arrest a protester if there is probable cause to believe that the protester violated the law).

This order will remain in effect until further order of the Court.

Dated: September 18, 2020

s/Laurie J. Michelson
LAURIE J. MICHELSON
UNITED STATES DISTRICT JUDGE

/s/ "with consent" Jack Schulz
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Craig, Officer Stephen Anouti, Officer
David Hornshaw, Officer Mariah
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Officer Does 1-100, inclusive

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Date: September 18, 2020