

Presented to the Court by the foreman of the
Grand Jury in open Court, in the presence of
the Grand Jury and FILED in the U.S.
DISTRICT COURT at Seattle, Washington.

MAY 19 2016
By WILLIAM M. McCOOL, Clerk
[Signature] Deputy

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

NICHOLAS HOGAN,

Defendant.

CR16-154 JCC

INDICTMENT

The Grand Jury charges that:

COUNT 1

(Deprivation of Rights under Color of Law)

On or about May 20, 2011, in Seattle, and elsewhere within the Western District of Washington, NICHOLAS HOGAN, while acting under of color of law, deployed Oleoresin Capsicum spray against M.S., a person known to the grand jury, while M.S. was under arrest and shackled, by four-point restraints, to a hospital gurney, thereby willfully depriving M.S. of the right, secured and protected by the Constitution and the laws of the United States, to be free from unreasonable searches and seizures, which includes the right to be free from the use of unreasonable force by a law enforcement officer, and the offense resulted in bodily injury to M.S.

1 All in violation of Title 18, United States Code, Section 242.

2 A TRUE BILL:

3 DATED:

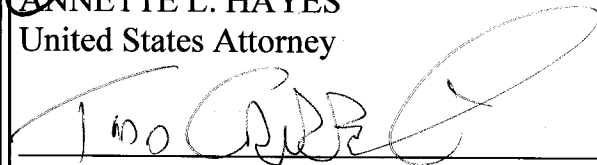
5-19-2016

4 *Signature of Foreperson redacted pursuant*
5 *to the policy of the judicial conference*

6 FOREPERSON

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8 
9 ANNETTE L. HAYES

10 United States Attorney

11 

12 TODD GREENBERG

13 Assistant United States Attorney

14 

15 BRUCE F. MIYAKE

16 Assistant United States Attorney

17 

18 ROSE GIBSON

19 Trial Attorney, Civil Rights Division

20 United States Department of Justice

21 

22 JARED FISHMAN

23 Trial Attorney, Civil Rights Division

24 United States Department of Justice