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 20 16

WILLIAM M. McCOOL, Clerk

By _____ Deputy

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

NICHOLAS HOGAN,

Defendant.

No. 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.

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970

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

A TRUE BILL:

DATED: 5-19-2016

Signature of Foreperson redacted pursuant to the policy of the judicial conference

FOREPERSON

for

ANNETTE L. HAYES
United States Attorney

TODD GREENBERG
Assistant United States Attorney

BRUCE F. MIYAKE
Assistant United States Attorney

ROSE GIBSON
Trial Attorney, Civil Rights Division
United States Department of Justice

for

JARED FISHMAN
Trial Attorney, Civil Rights Division
United States Department of Justice

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