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15 **Application for Admission Pro Hac Vice Forthcoming*

16 Attorneys for Plaintiffs

17 **UNITED STATES DISTRICT COURT**

18 **DISTRICT OF ARIZONA**

19 Alliance of Christian Leaders of the East
20 Valley; Magdalena Schwartz, in her
21 individual capacity and as president
22 pastor of Alliance of Christian Leaders of
23 the East Valley; Iglesia Alfa y Omega;
24 Elias Garcia, in his individual capacity
25 and as pastor of Iglesia Alfa y Omega;
26 Iglesia Monte Vista; Angel Campos, in
27 his individual capacity and as pastor of
28 Iglesia Monte Vista; Iglesia Nueva
Esperanza; Israel Camacho, in his
individual capacity and as pastor of
Iglesia Nueva Esperanza; Iglesia
Apostolica; Helping With All My Heart,
Inc., an Arizona non-profit corporation;
Cristobal Perez, in his individual
capacity and as pastor of Iglesia
Apostolica De La Comunidad; Iglesia
Cristiana El Buen Pastor; Hector

No.

COMPLAINT

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23. Pastor Camacho resides in Mesa, Arizona.

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1 a YouTube account at https://www.youtube.com/channel/UCIF9j_wt1dXEF9aaO-
2 7GDpg, and a Twitter account at https://www.twitter.com/AZ_Movement.

3 39. On its Facebook page, it posted a video on its Facebook page, titled "AZ Movement
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1 56. Defendant Payne has visited Arizona churches with Patriot Movement AZ
2 members on at least three occasions, including visits on December 29 and December 31,
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1 87. Since October 2018, Plaintiffs have assisted thousands of Immigrants
2 released by ICE to reach their U.S. sponsors.

3 88. On March 21, 2019, Henry Lucero, the Phoenix field director for ICE,
4 stated, “If [the people assisting the Immigrants] were breaking the law, ICE wouldn’t give
5 them a ride there. They’re just doing something out of the goodness of their hearts. Trying
6 to help people find a way to where they’re going.”

7 89. Plaintiffs depend on donations and volunteers from their congregations and
8 the broader Phoenix community to help them to assist the Immigrants.

9 90. Plaintiffs do not receive government funding or payments to support their
10 assistance to the Immigrants.

11 91. During the first few months that they assisted the Immigrants, Plaintiffs
12 freely publicized their efforts, including on their Facebook pages and other social media,
13 and publicly solicited donations and volunteers.

14 92. Plaintiffs’ outreach resulted in considerable support from the Phoenix
15 community.

16 93. Starting about December 26, 2018, Defendants have gone to churches
17 where ICE has dropped off Immigrants many times.

18 94. Defendants’ purpose is to intimidate Plaintiffs and others to stop them from
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1 113. These messages and calls also included threats to the pastors' buildings and
2 their families.

3 114. Defendants have also entered churches under false pretenses by posing as
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126. Plaintiffs have stopped or decreased their public calls for support for fear that publicizing their efforts or identifying the times that the Immigrants will arrive at the

1 139. As of May 1, 2019, that video had received approximately 200,000 views
2 and been shared nearly 5,000 times.

3 140. Defendants Harrison and Antone visited Alfa y Omega as it was receiving
4 Immigrants on at least two other occasions, January 2, 2019 and February 6, 2019.

5 141. Each time they behaved in a similar manner and shouted similar things at
6 the Immigrants, volunteers, and church members.

7 142. As a result of Defendants' conduct, Alfa y Omega put up no trespassing
8 signs to protect church members, the Immigrants, volunteers, and donors.

9 143. Alfa y Omega has cut back on public solicitations for volunteers and
10 donations for fear that they would attract even more harassment from Defendants,
11 resulting in a steep decline in donations.

12 144. Other congregations share the church building with Alfa y Omega. They
13 have expressed concerns about Defendants' conduct to Pastor Garcia and have asked Alfa
14 y Omega to stop assisting the Immigrants because Defendants' conduct has upset them
15 and made them afraid for their congregants' safety.

16 **Iglesia Monte Vista**

17 145. Iglesia Monte Vista and Pastor Angel Campos began assisting the
18 Immigrants in October 2018.

19 146. Defendants first visited Iglesia Monte Vista on December 28, 2018.

20 147. Defendants Harrison and Antone stood in the church parking lot, which is
21 part of church property.

22 148. When the ICE buses carrying the Immigrants arrived, Defendants Harrison
23 and Antone began yelling insults at the Immigrants, volunteers, and church members.

24 149. Defendants Harrison and Antone said that Monte Vista was "breaking the
25 law" as well as "aiding and abetting" violations of the law.

26 150. Defendants Harrison and Antone also said that they had "heard that they
27 [the Immigrants] have lice and tuberculosis."
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1 151. Defendants approached many volunteers and asked them questions in a
2 hostile manner while filming them with their cell phones held only a few feet from the
3 volunteers' faces.

4 152. Defendants Harrison and Antone filmed the Immigrants' faces despite
5 being asked repeatedly not to do so.

6 153. When Pastor Campos informed Defendants that they were on private
7 property and asked them to leave, Defendants refused to do so and stated that they would
8 not leave until the police arrived.

9 154. Defendants did not leave church property until after Pastor Campos called
10 the police.

11 155. Defendants Harrison and Antone each filmed the December 28, 2018,
12 events and posted several videos to the Patriot Movement AZ Facebook page. Those
13 videos clearly show the faces of the Immigrants, including the faces of young children.

14 156. As of May 1, 2019, those videos had received a total of 518,000 views and
15 have been shared nearly 12,000 times.

16 157. Defendants Harrison and Antone returned to Monte Vista twice on
17 December 31, 2018.

18 158. The first time they were accompanied by Defendants Damasco, Roe, and
19 Doe 2, and stood on the sidewalk beside the church parking lot.

20 159. Using a megaphone, Defendants accused Pastor Campos of being paid to
21 assist Immigrants multiple times, chanted "shame on you," and asked "when are the
22 illegals showing up?"

23 160. Later on December 31, Defendants Harrison and Antone returned to Monte
24 Vista, this time accompanied by Defendants Pavlock, Roe, and Doe 1.

25 161. Through a megaphone, Defendants yelled insults and accusations including
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1 162. Defendants also criticized Monte Vista for putting up caution tape to
2 prevent their trespassing, chanting “Tear down your wall!”

3 163. Defendant Antone argued with a volunteer as someone among the
4 Defendants chanted “punch her.”

5 164. Shortly thereafter, the police arrived and escorted the volunteer into the
6 church.

7 165. The volunteer was visibly upset. She later told Pastor Campos that she
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1 173. Referencing a pair of pants hanging on the church fence, Defendants stated:
2 “They’re bringing Little Mexico to the fence. Look, that’s how they’re drying their
3 clothes.”

4 174. The video clearly shows the faces of young Immigrant children.

5 175. As of May 1, 2019, the video had received a total of 28,000 views and had
6 been shared 693 times.

7 176. Monte Vista has received messages on its Facebook page and Pastor
8 Campos has received texts and voicemails to his personal cell phone that use the same
9 language or language similar to Defendants’ statements when they visited Monte Vista.

10 177. Pastor Campos’s minor children have seen some of those messages and
11 have expressed fear for his safety and their own.

12 178. As a result of Defendants’ conduct, Monte Vista has put up “no trespassing”
13 signs and caution tape around the boundaries of church property to protect the Immigrants
14 and volunteers.

15 179. As a result of Defendants’ conduct, Monte Vista has cut back on public
16 solicitations for volunteers and donations for fear that they would attract even more
17 harassment from Defendants, resulting in a steep decline in donations.

18 180. Pastor Campos is aware of Defendants’ conduct at other churches and was
19 particularly concerned by Defendant Foreman’s forcing his way into Iglesia Alfa y
20 Omega with a gun in late January.

21 181. Some volunteers have also told Pastor Campos that Defendants’ conduct
22 has made them afraid to continue volunteering to assist the Immigrants.

23 **Iglesia Nueva Esperanza**

24 182. Iglesia Nueva Esperanza and Pastor Israel Camacho began assisting the
25 Immigrants in October 2018.

26 183. Defendants first visited Iglesia Nueva Esperanza on January 25, 2019.

27 184. Defendants Harrison and Bronaugh approached the church shortly after an
28 ICE bus arrived to drop off Immigrants.

1 185. The church property includes a grass strip that is separated from the private
2 sidewalk by a low stone wall. Defendants stood on this grass strip while Defendant
3 Harrison shouted insults and accusations at the church, volunteers, and the Immigrants.

4 186. As the Immigrants exited the bus, Harrison shouted “fuera!” (“get out!” in
5 Spanish) and “criminals” at them.

6 187. Defendant Harrison also told a bystander: “Hopefully, ma’am, they [the
7 Immigrants] don’t get loose and rape any of those little kids.”

8 188. Defendant Harrison also yelled: “You are human trafficking at this church.”
9 She singled out Pastor Magdalena Schwartz in particular, shouting: “Magdalena, you
10 know what you’re doing. You know those kids don’t belong to those men. How much are
11 you getting paid, Magdalena? How much are you getting paid to human traffick
12 children?”

13 189. Defendant Bronaugh stood beside Harrison throughout this tirade,
14 supporting and participating in her conduct.

15 190. Defendant Harrison filmed the January 25, 2019, event using her cell
16 phone.

17 191. At one point, Defendant Harrison attempted to climb up on the stone wall
18 so that she could better film the Immigrants as they got off the bus.

19 192. When a volunteer approached her and told her that she was trespassing,
20 Harrison responded: “Aren’t they [the Immigrants] trespassing in our country, sir?” She
21 and Bronaugh refused to leave until the volunteer called the police, after which she told
22 viewers: “I’m gonna get out of here so I don’t get trespassed. Because the golden rule is:
23 You can’t trespass me if you can’t catch me!”

24 193. The video of the January 25, 2019, event was posted on Patriot Movement
25 AZ’s Facebook page.

26 194. As of May 1, 2019, the video had received a total of 64,384 views and had
27 been shared 2,361 times.

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1 201. Defendants Harrison and Bronaugh returned to Nueva Esperanza twice on
2 February 22, 2019. They followed an ICE bus transporting the Immigrants to the church
3 in the afternoon and filmed as they exited the bus.

4 202. Defendants Harrison and Bronaugh both accused the church and volunteers
5 of breaking the law, shouting: “This church is promoting human trafficking” and later
6 chanting “Criminal! Criminal! Criminal!”

7 203. Defendant Harrison also accused the Immigrants of bringing diseases into
8 Phoenix, yelling: “Smallpox and all kinds of diseases are coming in too.”

9 204. When Defendants were asked to leave the church property and the parking
10 lot, they refused. They finally left after the police arrived and spoke with them.

11 205. Defendants Harrison and Bronaugh returned to Nueva Esperanza the night
12 of February 22, 2019.

13 206. At that time, members of the community who volunteered to let Immigrant
14 families stay at their homes overnight were at the church picking up their guests.

15 207. Defendants Harrison and Bronaugh came into the parking lot where the
16 volunteers’ cars were parked.

17 208. They approached within a few feet of the cars in an attempt to take video
18 of the Immigrants, their hosts, and the license plates on the cars.

19 209. When a Latino volunteer became visibly upset and accused Harrison of
20 being racist, Harrison yelled at Pastor Schwartz: “Control your dogs, Magdalena.”

21 210. Defendants also repeatedly approached Pastor Schwartz, yelling at her
22 about breaking the law and being the “ring leader.” They only moved away from Pastor
23 Schwartz and the volunteer80 316.-1.2(der. n3160.9(th)-81 ET Q qpa)-1.2

1 207. For example, Defendants Harrison and Antone followed an ICE bus to
2 Helping With All My Heart on February 6, 2019.

3 208. They stood on the sidewalk mere feet from the doors of the bus as
4 Immigrants filed off, filming the Immigrants, volunteers, and church members with their
5 cell phones.

6 209. They chanted “fuera de aqui!” (“get out of here!” in Spanish) and “This is
7 not your home!” and yelled “Whose child is that? Whose child are you bringing in?” at
8 Immigrants.

9 210. They repeatedly accused the church and its volunteers of breaking the law
10 and engaging in human trafficking, shouting “This church is aiding in human trafficking.
11 That’s what you’re complicit in” and “American border patrol says this is human
12 trafficking, human smuggling!”

13 211. Defendants filmed the February 6, 2019, incident and posted the video on
14 Patriot Movement AZ’s Facebook page.

15 212. As of May 1, 2019, the video had received 52,000 views and had been
16 shared 1,800 times.

17 213. Defendants Harrison and Antone have visited Helping With All My Heart
18 at least three times.

19 214. Each time they behaved in a similar manner and shouted similar things at
20 the Immigrants, volunteers, and church members.

21 215. As a result of Defendants’ conduct, Pastor Perez and his volunteers are
22 worried every time an ICE bus comes to Helping With All My Heart.

23 216. They are aware of Defendants’ conduct at other churches and are
24 particularly concerned by Defendant Foreman’s forcing his way into Iglesia Alfa y
25 Omega with a gun in late January.

26 217. Pastor Perez feels he must spend more time protecting his volunteers; as a
27 result, he has less time to oversee the operation to assist the Immigrants.

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1 218. Pastor Perez and Helping With All My Heart have begun hiring paid guards
2 to be present during Immigrant drop offs because of Defendants’ conduct.

3 **Iglesia El Cristiana Buen Pastor**

4 219. Iglesia Cristiana El Buen Pastor and Pastor Hector Ramirez began assisting
5 the Immigrants in the Fall of 2018.

6 220. Although Defendants have not yet visited Buen Pastor, Pastor Hector
7 Ramirez and church members are aware of Defendants’ conduct at other churches and are
8 particularly concerned by Defendant Foreman’s forcing his way into Iglesia Alfa y
9 Omega with a gun in late January.

10 221. As a result of Defendants’ conduct, Buen Pastor and Pastor Ramirez have
11 stopped advertising for volunteers and donations for fear that doing so would attract
12 harassment from Defendants.

13 222. Buen Pastor has also posted volunteers to act as security guards to attend
14 its gates while it is receiving Immigrants.

15 223. Pastor Ramirez has also volunteered to drive Immigrants to the airport.

16 224. As a result of Defendants’ conduct, Pastor Ramirez has driven fewer
17 Immigrants to the airport because he believes he needs to be at Buen Pastor in case
18 Defendants show up there.

19 **Terence Driscoll**

20 225. Terence Driscoll is a volunteer who assists churches in their efforts to help
21 the Immigrants.

22 226. As part of his volunteer work, Driscoll has driven Immigrant families from
23 churches to the Phoenix airport.

24 227. On January 11, 2019, Driscoll drove an Immigrant woman and her young
25 daughter from a church to the airport.

26 228. When he arrived at the church, Driscoll observed Defendant Patriot
27 Movement AZ members in a black Dodge Charger photographing or filming in the church
28 parking lot.

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229. Unbeknownst to Driscoll, Defendants photographed him approaching his car in the church parking lot with the Immigrant woman and her daughter.

230. Defendants posted the photograph to Patriot Movement AZ's Facebook page with the caption:

EXPOSED: Single, grown men leave the Casa de Oracion church with Guatemalan women and young girls. Catch, release and disappear! If you're wondering what happens to these people after the DHS bus drops them off at the church, look at this human transporting/trafficking activity. The church puts out a call to the unvetted public to take these families home

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1 246. While there, Defendants singled out lawmakers and legislative staff
2 members with dark skin—including Representative Eric Descheenie, who is Navajo, and
3 Representative Cesar Chavez, who was born in Mexico—calling them “illegal” and
4 yelling at them to “get out” and “go home.”

5 247. At one point, Defendants yelled at a group of staffers that included Hispanic
6 women to “get out of the country.” Defendants Antone and Harrison then pointed to a

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1 254. Plaintiffs Pastor Magdalena Schwartz and Pastor Angel Campos are
2 citizens of the United States.

3 255. Defendants' conduct has prevented Plaintiffs from freely inviting guests to
4 their property, being secure in their property, and excluding individuals from their
5 property.

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1 264. These statements were heard by neighbors, passers-by, and posted on
2 Facebook and/or YouTube for many others to view.

3 265. Defendants Harrison and Antone yelled that Immigrants had lice,
4 tuberculosis, and smallpox—all contagious diseases.

5 266. Defendant Harrison told by-passers that Immigrants would rape children.

6 267. These statements damaged Plaintiffs’ reputation.

7 268. Defendants’ wrongful conduct constitutes defamation per se under Arizona
8 law.

9 **COUNT FOUR**

10 **(False Light)**

11 269. Plaintiffs incorporate the allegations in the above paragraphs as if fully set
12 forth herein.

13 270. Defendants spread false claims that Plaintiffs were involved in sex and
14 human trafficking.

15 271. The claims of sex and human trafficking were completely unsubstantiated.

16 272. Defendants made these claims specifically because they were highly
17 offensive and would further their anti-immigrant social and political agenda.

18 273. Defendants had no proof to support these allegations but persisted in
19 spreading these falsehoods deliberately or recklessly.

20 274. Defendants filmed and followed Plaintiff Driscoll entering his car with an
21 immigrant woman and her daughter.

22 275. They posted the video online and accused Plaintiff Driscoll of engaging in
23 sex or human trafficking.

24 276. By raising these claims on radio broadcasts, on Facebook, and on YouTube,
25 Defendants sought the broadest possible circulation of these falsehoods.

26 277. The statements Defendants made were highly offensive, major
27 misrepresentations to the public with knowledge or disregard of falsity.

28 278. Defendants’ wrongful conduct constitutes false light under Arizona law.

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COUNT FIVE

(Appropriation or Invasion of the Right of Publicity)

279. Plaintiffs incorporate the allegations in the above paragraphs as if fully set forth herein.

280. Defendants have filmed the Immigrants, Alliance members, church members, volunteers, and others and posted those recordings on Defendants' Facebook pages, YouTube, and other social media accounts.

281. Defendants did not obtain consent for these recordings.

282. To film Plaintiffs, Defendants have held their cell phones up to individuals and filmed their faces, nametags, cars, and license plates.

283. Defendants used these recordings to their own advantage by both increasing

1 290. The steps taken to make these recordings illustrate that Defendants intended
2 to capture private moments.

3 291. Expecting privacy behind barriers on private property is reasonable.

4 292. Defendants also pretended to be donors, volunteers, “liberal,” or homeless
5 to get into churches to hear private conversation and watch the Immigrants as they sought
6 assistance in churches.

7 293. Defendants were motivated by furthering an anti-immigrant agenda
8 centered on proving Plaintiffs were engaging in sex and human trafficking.

9 294. Defendants intruded into private parts of churches to access the very places
10 individuals have an expectation of privacy in a highly offensive manner with the objective
11 of accessing private information.

12 295. Defendants’ wrongful conduct constitutes intrusion into a private place
13 under Arizona law.

14 **COUNT SEVEN**

15 **(Trespass)**

16 296. Plaintiffs incorporate the allegations in the above paragraphs as if fully set
17 forth herein.

18 297. Uninvited or deceptively, Defendants have entered onto church property,
19 including lawns or paths leading to the church buildings and the parking lots used by the
20 churches.

21 298. Defendants have entered church buildings without invitation or by
22 pretending to be volunteers.

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302. Defendants' wrongful conduct constitutes trespass under Arizona law.

REQUESTED RELIEF

WHEREFORE Plaintiffs respectfully request an award of the following relief:

- A. A declaratory judgment that the actions described herein deprived Plaintiffs of their rights under federal and state law.
- B. Injunctive relief enjoining Defendants from future violations of rights guaranteed by federal and state law.
- C. Compensatory and statutory damages in an amount to be determined.
- D. Punitive damages in an amount to be determined.
- E. Such other relief as the Court may deem just and proper.

RESPECTFULLY SUBMITTED this 4th day of June, 2019.

STINSON LLP

By: */s/ Larry J. F3d 10i*

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Phoenix, Arizona 85004
602.279.1600

3 Federal Question (U.S. not a party)

_____ **(Diversity Cases Only)**

N/A

N/A

1 Original Proceeding

40 Other Civil Rights

**42 U.S.C. Section 1983(3); 42 U.S.C. Section 1982; violation of
Plaintiff's Constitutional rights**

No

In @ Do g . Rec e ue t i c h 1983(3) part' n a l a r d

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2 Javier Torres (Bar No. 0032397)

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