

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CIVIL ACTION NO. _____
)	
v.)	
)	COMPLAINT
CECIL CARROLL COLLIER,)	
)	
)	
Defendant.)	
_____)	

The United States of America (“United States”) alleges as follows:

NATURE OF ACTION

1. This action is brought by the United States to enforce Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601 *et seq.* (the “Fair Housing Act”). This action is brought on behalf of Kanta Davis, pursuant to 42 U.S.C. § 3612(o).

JURISDICTION AND VENUE

2. This Court has jurisdiction over this action under 28 U.S.C. §§ 1331 and 1345, and 42 U.S.C. § 3612(o).
3. Venue is proper under 28 U.S.C. § 1391(b) because the events or omissions giving rise to the United States’ claims occurred in the Western District of Louisiana, and because Defendant Cecil Carroll Collier resides in this judicial district.

PARTIES AND SUBJECT PROPERTY

4. Defendant Cecil Carroll Collier (“Collier”) is a Caucasian resident of the state of Louisiana and resides at 4423 Camp Joy Road, in Haughton, Louisiana.

5. Complainant Kanta Davis is Indian American, and is the owner and manager of J & R Enterprises-Shreveport, LLC.
6. In June 2005, Ms. Davis, through J & R Enterprises-Shreveport, LLC purchased Camp Joy Marina (the “Subject Property”), located at 4911 Camp Joy Road, Haughton, Louisiana from Defendant’s brother, Reggie Collier.
7. The Subject Property is located on Lake Bistineau and is situated partially in Bossier Parish and partially in Webster Parish. The Subject Property is a marina on 8 acres of land that is comprised of nearly 30 rental housing units, including townhouses, cabins, cottages, and houseboats, and provides amenities including a boat launch and slip, as well as a bar and restaurant. Three water wells are used to provide water to the Subject Property.
8. The Subject Property is a “dwelling” within the meaning of the Fair Housing Act, 42 U.S.C. § 3602(b).
9. Defendant’s property abuts Camp Joy Marina. The two properties share the use of one of the water wells.

FACTUAL ALLEGATIONS

10. On May 20, 2008, the United States filed a lawsuit against Reggie Collier in the United States District Court for the Western District of Louisiana. *United States of America v. Reggie Collier*, Case No. 5:08cv0686, ECF. No. 1. The lawsuit alleged that Reggie had interfered with the sale of 4512 Camp Joy Road, a privately owned single family home located at Camp Joy Marina, because he believed the prospective buyers to be African American.

11. Later in May 2008, Kanta Davis was contacted by an attorney working for the United States Department of Justice (“DOJ”) about the the case against Defendant’s brother, Reggie Collier.
12. Ms. Davis agreed to speak with the DOJ about Reggie Collier.
13. Ms. Davis met with the DOJ two or three times in May and June 2008 and spoke with them about Reggie Collier.
14. Defendant was aware that Ms. Davis was interviewed by the DOJ in May and June 2008 because the DOJ had filed a lawsuit under the Fair Housing Act against his brother.
15. Between June 5, 2008 and July 8, 2008, Ms. Davis was showing a prospective tenant a trailer unit for rent on the Subject Property. This unit was across the street from Defendant’s property. Defendant pointed and yelled at her “You snitch bitch. This snitch is going to testify against my brother.” Ms. Davis was shocked and afraid.
16. On July 8, 2008, it was near sunset on a weekend evening, and Ms. Davis was sitting on the Subject Property bar patio with Randy Davis, her fiancé. She heard loud noises—a boat motor, and screaming and yelling—getting closer and closer. She saw Defendant approaching on a boat with two female friends.
17. Defendant shouted at her from the water, “I am Carroll Collier. You should die, you sand nigger bitch. You are going to die. God hates you. This is white man’s land.” The women in the boat with Defendant shouted “kill the bitch! Kill the bitch, Carroll.”
18. Defendant also shouted at Ms. Davis’s fiancé, saying that “you were a good white man until you got with this sand nigger bitch. Now you’re nothing but a nigger also.” One of Davis’s employees working in the bar called the Bossier Parish Sheriff’s Department. Defendant and his friends left by boat once the Sheriff’s Department was called.

19. The Bossier Parish Sheriff's Department offense report dated July 8, 2008 characterized Collier's offenses that evening as (1) "terrorizing," and (2) "entry on or remaining in places on or land after being forbidden."
20. At a later unspecified date during the same summer, there was a wet t-shirt contest held at the Subject Property bar, with approximately 500 people in attendance. Defendant arrived by boat with a female companion and over the next few hours continued to loudly yell "she's a sand nigger" at Ms. Davis for anyone at the bar and on the Subject Property's marina to hear.
21. Since July 8, 2008, Ms. Davis and her employees have had to call the Sheriff's department multiple times because Defendant was trespassing and/or behaving aggressively on the Subject Property.
22. After Ms. Davis spoke with the DOJ in May and June 2008, Defendant began to threaten to turn off the water well that they share. On one or two occasions, he has turned the well off.
23. On April 2, 2009, Defendant was deposed in the case of *United States v. Reggie Collier*. At his deposition, he stated that the case against his brother was "bull," and that Ms. Davis was the "creator" of many problems for his family.
24. After Ms. Davis spoke with the DOJ in May and June 2008, many of the former, regular patrons stopped coming to the Subject Property. Ms. Davis asked after them and they explained to her that they stopped coming to her property because they did not want to get involved in any dispute between her and Defendant.
25. On several occasions when Defendant was drinking at the Subject Property bar, an African American person entered the bar, either to have a drink or to use the ATM. Upon

seeing this person enter, Defendant shouted loudly “nigger in the house.” When this happened, Ms. Davis or one of her employees asked Defendant to leave.

26. Ms. Davis is afraid of Defendant and has tried to permanently ban him from the Subject Property.
27. Ms. Davis has lost business at the Subject Property, including tenants and restaurant patrons, as a result of Defendant’s conduct.
28. Ms. Davis fears that Defendant will permanently turn the water off on their shared well and harm her tenants, rental property and business further.

HUD ADMINISTRATIVE PROCESS

29. On August 18, 2008, Ms. Davis filed a timely Fair Housing Complaint with the United States Department of Housing and Urban Development (“HUD”), alleging, among other things, that Defendant Cecil Carroll Collier had threatened and intimidated her in retaliation for speaking with the DOJ in May and June 2008.
30. Pursuant to 42 U.S.C. §§ 3610(a) and (b), the Secretary of HUD conducted and completed an investigation of the complaint, attempted conciliation without success, and prepared a final investigative report. Based upon the information gathered in the investigation, the Secretary, pursuant to 42 U.S.C. § 3610(g)(1), determined that reasonable cause existed to believe that illegal discriminatory housing practices had occurred. Therefore, on September 29, 2014, the Secretary issued a Charge of Discrimination, pursuant to 42 U.S.C. § 3610(g)(2)(A), charging the above-named defendant with engaging in unlawful retaliation and discrimination in violation of the Fair Housing Act.

31. On October 20, 2014, Ms. Davis elected to have the claims asserted in the HUD Charge resolved in a civil action pursuant to 42 U.S.C. § 3612(a). On October 20, 2014, the Administrative Law Judge issued a Notice of Election to Proceed in United States Federal District Court and terminated the administrative proceeding on Ms. Davis's complaint.
32. Following this Notice of Election, the Secretary of HUD authorized the Attorney General to commence this civil action pursuant to 42 U.S.C. § 3612(o).

FAIR HOUSING ACT VIOLATIONS

33. Plaintiff re-alleges and incorporates by reference the allegations set forth in paragraphs 1-28, above.
34. By the actions set forth above, Defendant Cecil Carroll Collier has coerced, intimidated, threatened, or interfered with Ms. Davis's exercise and enjoyment of rights and protections granted under the Fair Housing Act, including, but not limited to, retaliating against Ms. Davis for participating in the fair housing case against Reggie Collier, and threatening Ms. Davis with bodily harm, yelling racial epithets at her, and discouraging individuals from visiting the Subject Property because of Davis's race or national origin, all in violation of 42 U.S.C. § 3617.
35. Ms. Davis is an "aggrieved person" within the meaning of 42 U.S.C. § 3602(i), and has suffered injuries as a result of Defendant's retaliatory and discriminatory conduct.
36. The retaliatory and discriminatory actions of Defendant were intentional, willful, and taken in disregard of Ms. Davis's federally protected rights.

RELIEF REQUESTED

WHEREFORE, the United States of America requests that the Court enter an ORDER that:

1. Declares that Defendant's discriminatory conduct, as alleged herein, violates the Fair Housing Act, 42 U.S.C. §§ 3601 *et seq.*;

2. Enjoins Defendant, his agents, employees, successors, and all other persons in active concert or participation with any of them, from coercing, intimidating, threatening, or interfering with any person in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected under the Act; and

3. Awards monetary damages to Ms. Davis pursuant to 42 U.S.C. §§ 3612(o)(3) and 3613(c)(1).

The United States further prays for such additional relief as the interests of justice may require.

Dated: November 19, 2014.

Respectfully submitted,

ERIC H. HOLDER, Jr.
Attorney General

s/ Vanita Gupta
VANITA GUPTA
Acting Assistant Attorney General
Civil Rights Division

s/ Steven H. Rosenbaum
STEVEN H. ROSENBAUM
Chief
Housing and Civil Enforcement Section
Civil Rights Division

STEPHANIE A. FINLEY
United States Attorney
Western District of Louisiana

s/ John A. Broadwell
JOHN BROADWELL
Assistant United States Attorney
Western District of Louisiana
300 Fannin Street, Ste. 3201
Shreveport, LA 71101
Phone: (318) 676-3610
john.broadwell@usdoj.gov

s/Kinara A. Flagg
SHINA MAJEED
Deputy Chief
KINARA A. FLAGG
NY Bar # 5092143
Trial Attorney
Housing and Civil Enforcement Section
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue NW
Northwestern Building, 7th Floor
Washington, D.C. 20530
Phone: (202) 353-4141
Fax: (202) 514-1116
kinara.flagg@usdoj.gov