

STATE OF MAINE
CUMBERLAND, ss.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO.

STATE OF MAINE,)
)
 Plaintiff)
)
 v.)
)
 JAIME LEE HOFFMAN,)
 (DOB 12/09/1996))
)
 Defendant)

COMPLAINT
(Injunctive Relief Requested)

I. INTRODUCTION

1. The Attorney General brings this civil action for injunctive and other relief pursuant to the Maine Civil Rights Act, 5 M.R.S. §§ 4681-4685.

II. PARTIES AND JURISDICTION

2. Plaintiff State of Maine is a sovereign state and brings this action pursuant to 5 M.R.S. § 4681.

3. Defendant Jaime Lee Hoffman (“Defendant”) lives in Portland, Maine.

4. This Court has jurisdiction over this action pursuant to 4 M.R.S. § 105 and 5 M.R.S. § 4681(2).

5. Venue is proper pursuant to 5 M.R.S. § 4681(2).

III. STATUTORY BACKGROUND

6. Title 5 M.R.S. § 4681 provides a cause of action for the Attorney General to seek an injunction against any person who intentionally interferes or attempts to intentionally interfere by physical force or violence, the threat of physical force or violence, property damage or the threat of property damage, with the exercise or enjoyment by any other person of rights secured

by the Constitution of the United States or the State of Maine or the laws of the United States or the State of Maine.

7. Title 5 M.R.S. § 4684-A provides that a person has the right to engage in lawful activities without being subject to physical force or violence, the threat of physical force or violence, property damage or threat of property damage, motivated by reason of race, color, religion, sex, ancestry, national origin, physical or mental disability or sexual orientation.

8. Each violation of 5 M.R.S. § 4681 is a civil violation for which a civil penalty of up to \$5,000 may be adjudged.

IV. FACTS

9. The victims are all students at Casco Bay High School on Allen Avenue in Portland, Maine. Victim 1 is a 14-year-old biracial male. Victim 2 is a 13-year-old year old black male originally from the Republic of Congo. Victim 3 is a 15-year-old Hispanic male originally from Mexico. Victim 4 is a 15-year-old black male originally from Sudan. Victim 5 is a 16-year-old white female student.

10. On or about January 27, 2017, after the school day ended at 2:30 P.M., Victim 1, Victim 2, Victim 3 and Victim 4 were waiting for the Route 9A bus at the Portland METRO bus stop located across Allen Avenue from the school. Victim 5 was on the school-side of Allen Avenue waiting with friends for the Route 9B bus.

11. The Defendant was walking along Allen Avenue from Forest Avenue, accompanied by a man and a woman. As he approached the students at the Route 9A bus stop, the Defendant yelled: "Niggers." "I hate them." "They don't belong here." "They should go back to where they came from." "They should die." "Every immigrant should go back." The Defendant also used epithets against people of Asian and Mexican origin.

12. Victim 1 spoke up to the Defendant, “Why do you deserve to be here anymore than they do?” The Defendant rushed at Victim 1 and punched him in the face. Victim 1 fell to the ground.

13. The Defendant’s male companion pulled the Defendant off Victim 1, and the Defendant and his two companions resumed walking along Allen Avenue.

14. Victim 5 ran across Allen Avenue to check on Victim 1. Victim 1, Victim 2, Victim 3, Victim 4, Victim 5 and seven other students followed the Defendant and his companions. The Defendant continued to yell racial epithets.

15. The Defendant displayed what some students perceived to be a screwdriver and others perceived to be a knife. A few of the students retreated in fear.

16. Victim 5 yelled at the Defendant: “It’s not just your country. It’s everybody’s county. It’s not a white man’s country.”

17. The Defendant tackled Victim 5 to the ground. The Defendant’s male companion pulled him off Victim 5. The Defendant and his two companions fled when the sirens of the responding police cruisers could be heard.

V. CAUSE OF ACTION

COUNT I

18. Plaintiff repeats, realleges and incorporates herein by reference the averments set forth in paragraphs 1 through 17 of this Complaint.

19. The Defendant has intentionally interfered with the victims’ rights to engage in lawful activities without being subject to physical force or violence or threats of physical violence based on Defendant’s bias against race, color, ancestry or national origin. This right is secured by the Maine Civil Rights Act, 5 M.R.S. §§ 4681 and 4684-A.

VI. RELIEF REQUESTED

Plaintiff State of Maine respectfully requests that this Court:

1. Enter a Permanent Injunction enjoining the Defendant from:
 - a. using or attempting to use physical force or violence or threatening to use physical force or violence against the victims;
 - b. using physical force or violence, threatening to use physical force or violence or attempting to use physical force or violence on any person motivated by bias based upon race, color, religion, sex, ancestry, national origin, physical or mental disability or sexual orientation;
 - c. causing or attempting to cause damage to or trespass upon the property of the victims;
 - d. causing or attempting to cause damage to or to trespass upon the property of any other person motivated by bias based on race, color, religion, sex, ancestry, national origin, physical or mental disability or sexual orientation;
 - e. assaulting, using physical force or violence, threatening to use physical force or violence, intimidating, coercing or harassing, or attempting to assault, threaten, intimidate, coerce or harass any person or causing or attempting to cause damage to or trespass upon the property of any person because he did or might complain of or testify about acts alleged in this Complaint or acts prohibited by Maine or Federal law, or did or might cooperate in any investigation concerning such acts;
 - f. speaking to, telephoning, writing or otherwise communicating with the victims or members of their families;

g. coming onto the campus of Casco Bay High School and the Portland Arts and Technology High School;

h. knowingly coming within 150 feet of the victims or their residences;

i. encouraging or causing any other person to engage in conduct prohibited in paragraphs (a)-(h) above, or assisting any person in engaging in such conduct.

2. Declare that the Defendant has violated the Maine Civil Rights Act, 5 M.R.S. §4681.

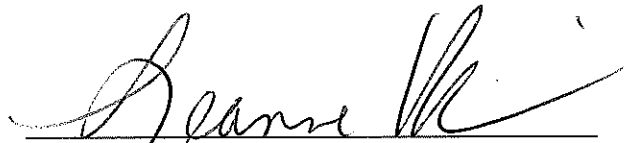
3. Order the Defendant to pay a civil penalty of up to \$5,000 for each violation.

4. Grant other such relief as is just and proper.

Respectfully submitted,

JANET T. MILLS
Attorney General

Dated: April 10, 2017



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