

# Independence And Searches

David Zokaites

July 5, 2023

# Yesterday's Independence Day

- Birthday of the United States of America
- Celebrates our freedom with explosive power of fireworks
- Forefathers revolted against Britain amidst widespread searches without suspicion
- Civil rights abuses are again widespread in America

# Personal Background

- Sioux Falls police detain and harass me about once a year
- 9 times so far
- Civil rights violated every time
- I'd call that a distinct pattern
- Charged twice out of 9 events
- Both charges cancelled by city attorney

# Political Background

- People frequently deny problems to protect their self image
- i.e. alcoholics believe they don't drink too much
- Politicians, police, prosecutors, judges swear to uphold our Constitution but ignore problems
- Corporate news media protects the status quo, hides problems
- Denial, deceit, corruption, propaganda, autocracy all come together

# Latest Incident Begins

- May 11, 2023 at 10:20 PM
- Helped my friend retrieve luggage she left behind
- Stepped out of my truck, promptly blinded by spotlights
- We were detained by local police
- Blinding people with spotlights is mean
- If you want people to hate cops, this is good practice

# Detain

- Defined as preventing departure, kept in custody
- “Am I being detained officer?” “No.”
- “Then I’m going to leave.” “No you’re not!”
- Cop has issues with English language or self-understanding or power or civil rights
- Again, not a good way to build positive community relationships

# No Suspicion

- “I have no idea whether it’s a drug drop”
- “I find it very hard to believe you would be involved in that”
- Detaining people without suspicion violates constitutional right to privacy
- But people in power deny, condone, and encourage that
- Again, this doesn’t help police interact with folks

# Our Abused Constitution

- “The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated”
- Supreme Court ruling Terry vs Ohio says that police need reasonable articulable suspicion of criminal activity to detain anyone
- Regularly violated by bad governments i.e. Sioux Falls



# What Can David Z Do?

- Talk to mayor, city council, DA, et cetera – no response
- Contact local news media – they’re not interested
- I could write a book – in work
- I could run for office – maybe later
- 1871 Civil Rights Act allows suing government
- SD law requires “notice of claim” to sue
- This notice is for you

# Notice Of Claim

## NOTICE OF CLAIM

July 5, 2023

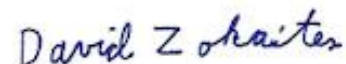
To: Mayor Paul TenHaken  
224 West Ninth Street  
Sioux Falls, SD 57117

To: Sioux Falls city government and all its departments and employees, including, but not limited to, the Mayor and Finance Director, the Sioux Falls Police Department and its employees:

Please be advised that pursuant to SDCL chapter 3-21, this is to serve as written notice to you on behalf of David Zokaites. This man suffered damages in Sioux Falls, South Dakota which occurred on or about May 11, 2023 as a result of police violating his civil rights.

We believe that Sioux Falls city government acted maliciously and/or negligently, including but not limited to: detaining without suspicion, making false claims, harassment, violation of civil rights, intimidation, conduct unbecoming police, and conspiracy to violate civil rights.

This notice is being provided pursuant to SDCL sections 3-21-2 and 3-21-3. This is intended as service upon you, and written notice to you, and to Sioux Falls city government, by hand delivery at today's city council meeting. This notice was provided by David Zokaites who resides at 2215 East Mulberry Street in Sioux Falls, SD 57103.



David Zokaites

# Recommendations

- Make sure police know what “detain” means
- Stop encouraging police to mistreat people
- Expand police training from 3 months to 3 years
- Respect our rights
- None of this will happen until many disillusioned complacent cynical people vote

# Celebrate American Freedom



# Kudos To The Sound Man

- For being so helpful