

RE: Formal Grievable Complaint and Request for Investigation – Alleged Assault of a Minor, Failure to Identify as Law Enforcement, Unlawful Detention, and Civil Rights Violations (Quakertown, Bucks County, Pennsylvania)

To Whom It May Concern:

This letter serves as a formal grievance and request for immediate investigation into the conduct of the Chief of Police of Quakertown, Pennsylvania, arising from an incident in which he allegedly entered a crowd of children without clearly identifying himself as law enforcement, placed a minor in a chokehold, and effected arrests without proper procedural safeguards. Video recordings circulating publicly appear to show conduct that raises serious concerns regarding use of force, identification requirements,

unlawful detention, and constitutional violations.

The gravity of these allegations warrants independent review at the municipal, county, state, and federal levels.

I. SUMMARY OF ALLEGED INCIDENT

According to witness accounts and publicly available video recordings:

The police chief approached a group of children and adults without clearly identifying himself as law enforcement. He allegedly ran into a crowd of minors, creating panic and confusion.

A minor was reportedly placed in a chokehold or neck restraint.

Individuals were taken into custody and held over the weekend.

Miranda warnings were not audibly provided in the available video recordings. The conduct created fear, confusion, and

potential risk of injury to children present. If confirmed, these actions raise substantial concerns regarding the lawful exercise of police authority, the use of force on minors, and compliance with constitutional protections.

II. FAILURE TO IDENTIFY AS LAW ENFORCEMENT

Law enforcement officers must clearly identify themselves when exercising authority in plain clothes or when identification is not readily apparent. Relevant legal and policy standards include:

**Fourth Amendment, U.S. Constitution – protects against unreasonable seizures.
42 U.S.C. § 1983 – civil liability for deprivation of rights under color of law.
18 Pa. Cons. Stat. § 5301 (Official Oppression) – prohibits public servants**

from knowingly violating civil rights. Courts have held that failure to identify may render a seizure unreasonable where it creates confusion or risk of unlawful force.

See *St. Hilaire v. City of Laconia*, 71 F.3d 20 (1st Cir. 1995).

Failure to identify oneself while using force against minors significantly increases risk and may constitute unreasonable seizure.

III. USE OF FORCE AGAINST A MINOR

Reports and video appear to show the use of a chokehold or neck restraint on a child.

Relevant legal and policy considerations: *Graham v. Connor*, 490 U.S. 386 (1989) — force must be objectively reasonable.

Tennessee v. Garner, 471 U.S. 1 (1985) — limits force, especially against non-dangerous persons.

Kingsley v. Hendrickson, 576 U.S. 389 (2015) – excessive force standard.

Neck restraints are widely restricted due to risk of death or serious bodily injury.

Pennsylvania use-of-force standards require force to be necessary and proportionate.

Use of high-risk restraints on minors is subject to heightened scrutiny.

If a chokehold was applied absent an immediate threat of serious bodily harm, the force used may have been excessive.

IV. RUNNING INTO A CROWD OF CHILDREN AND CREATING RISK

Entering a group of children in an aggressive manner without clear identification may constitute reckless conduct.

Potential violations include:

18 Pa. Cons. Stat. § 2705 – Recklessly

Endangering Another Person

18 Pa. Cons. Stat. § 2701 – Simple Assault

18 Pa. Cons. Stat. § 2702 – Aggravated Assault (if serious bodily risk is present)

Courts recognize that officers must consider the safety of bystanders, especially minors.

V. DETENTION OF MINORS AND ADULTS OVER THE WEEKEND

Reports indicate individuals were held in custody through the weekend.

Concerns include:

Fourth Amendment – protection against unlawful detention.

Gerstein v. Pugh, 420 U.S. 103 (1975) – prompt judicial determination required.

County of Riverside v. McLaughlin, 500 U.S. 44 (1991) – probable cause determination within 48 hours.

Pennsylvania Rules of Criminal Procedure

519–520 – prompt arraignment requirements.

If detainees were held without timely judicial review, the detention may have been unlawful.

VI. MIRANDA WARNINGS AND PROCEDURAL SAFEGUARDS

Video recordings reportedly do not show Miranda warnings being read.

Under *Miranda v. Arizona*, 384 U.S. 436 (1966), warnings are required prior to custodial interrogation. While failure to administer Miranda warnings does not invalidate an arrest, it may render statements inadmissible and indicate procedural noncompliance.

VII. POTENTIAL CIVIL RIGHTS VIOLATIONS

The alleged conduct may implicate:

Fourth Amendment – unreasonable seizure and excessive force

Fourteenth Amendment – due process violations

42 U.S.C. § 1983 – civil rights violations under color of law

18 U.S.C. § 242 – deprivation of rights under color of law

Use of force against a minor without clear identification and probable cause raises substantial constitutional concerns.

VIII. REQUEST FOR ACTION

**The undersigned respectfully requests:
An independent investigation into the incident.**

Preservation of all body camera footage, surveillance video, dispatch logs, and arrest reports.

Disclosure of departmental policies regarding:

identification requirements,
use of force,
neck restraints,
handling of minors,
crowd engagement protocols.
Review of detention procedures and
probable cause determinations.
Public release of investigative findings.
Appropriate disciplinary or criminal action
if violations are confirmed.

IX. WHERE TO SEND THIS COMPLAINT Quakertown Borough Council (Civilian Oversight)

**35 N. Third Street
Quakertown, PA 18951
Phone: 215-536-5001**

Council President

Donald Rosenberger

 **drosenberger@quakertown.org**

Vice President

L. James Roberts

 **jroberts@quakertown.org**

Council Members

Michael Johnson –

mjohnson@quakertown.org

Randy Riegel – rriegel@quakertown.org

Patricia Cinelli – pcinelli@quakertown.org

Beth K. Marshall –

bmarshall@quakertown.org

Joseph DePietro –

jdepietro@quakertown.org

General routing (recommended to include):

 **info@quakertown.org**

 **borough@quakertown.org**

Bucks County District Attorney's Office

55 E. Court Street

Doylestown, PA 18901

Phone: 215-348-6344

Pennsylvania Office of Attorney General

Strwberry Square

Harrisburg, PA 17120

Phone: 717-787-3391

Pennsylvania State Police

1-800-4PA-TIPS

www.psp.pa.gov

**U.S. Department of Justice – Civil Rights
Division**

950 Pennsylvania Ave NW

Washington, DC 20530

civilrights.justice.gov

X. CONCLUSION

Public trust depends upon law enforcement exercising authority lawfully, transparently, and with restraint—particularly when minors are involved. The allegations described, if substantiated, reflect conduct that may violate statutory law, constitutional protections, and professional policing standards. Immediate independent review is essential to ensure accountability and

community safety.

Respectfully submitted,

Name

Address

Email

Phone