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'MY FRIENDS TELL ME I'M DIFFERENT'

Woman, 19, files claim against city over false arrest after BPD officers mistook her for machete-wielding male suspect. 'I can't talk about the story without crying. I hope and pray this doesn't happen to anyone else,' she says.

LOCAL | 6 • VIDEO AT BAKERSFIELD.COM

Tatyana Hargrove fights back tears as she leaves a news conference with her attorneys, Neil Gehlawat, left, and Thomas Seabaugh. Hargrove and her attorneys filed a claim against the City of Bakersfield for excessive force after Hargrove was stopped on June 18 while riding her bicycle. Contentions for the claim include battery, false imprisonment, false arrest and other actions by Bakersfield police officers. **FELIX ADAMO / THE CALIFORNIAN**

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Claim filed against city in case of woman falsely arrested by BPD

BY JASON KOTOWSKI
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A claim alleging excessive force on the part of Bakersfield police was filed Wednesday on behalf of a 19-year-old woman injured as police arrested her after mistaking her for a machete-wielding male suspect.

The claim against the City of Bakersfield seeks damages for Tatyana Hargrove, punched in the face by an officer and bit by a K-9 as she was arrested June 18, according to reports. It wasn't until the officers placed her in the back of a patrol car that they asked her name and realized she was a woman.

The actual suspect was arrested the next day.

"It changed me very bad," Hargrove said Wednesday morning during a press conference at the law office of Chain Cohn Stiles. "My friends tell me I'm different."

She bent over and placed her face in her hands, crying as attorney Neil K. Gehlawat patted her on the shoulder.

"I can't talk about the story without crying," she

VIDEO

Go to Bakersfield.com to see portions of the news conference.

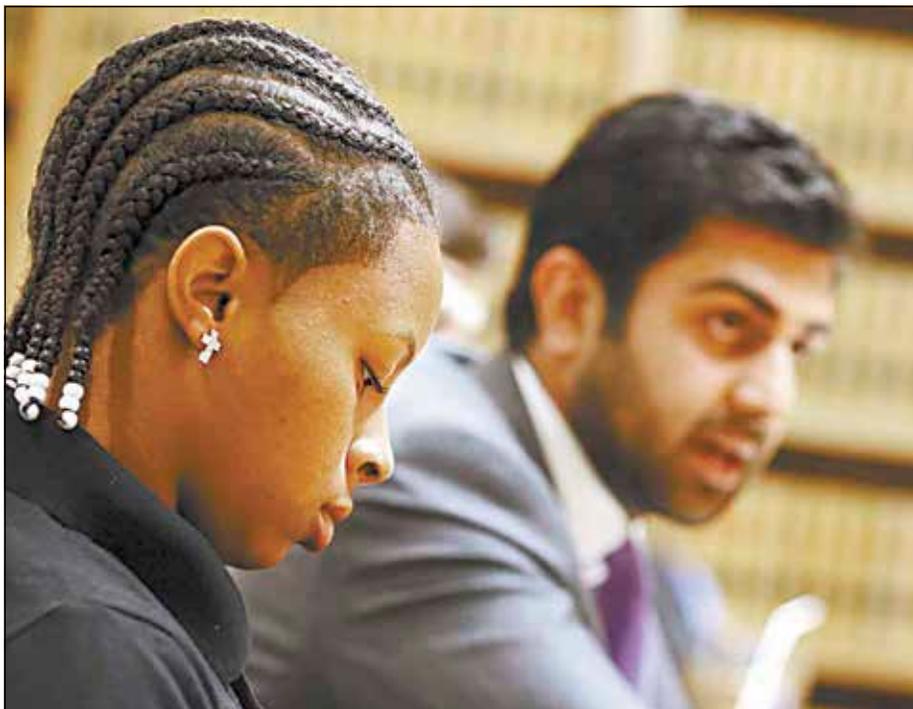
said after composing herself. "I hope and pray this doesn't happen to anyone else."

Hargrove was facing two counts of resisting arrest, one count of willfully interfering with a police K-9, and two counts of assault on a peace officer in connection with her arrest. All charges were later dismissed.

"No one who is riding their bike on their way home and doing nothing wrong deserves this," Gehlawat said.

He said the case is not just about obtaining justice for Hargrove, but about holding police accountable for their actions and bringing about better training for officers.

The incident occurred as Hargrove was on her way home after looking for a gift for her father for Father's Day, according to the claim. She was riding



FELIX ADAMO / THE CALIFORNIAN

Tatyana Hargrove looks down toward the table as her attorney, Neil Gehlawat of Chain Cohn Stiles, announces they have filed a claim against the City of Bakersfield for excessive force after Hargrove was stopped on June 18 while riding her bicycle. Contentions for the claim include battery, false imprisonment, false arrest, and other actions by the Bakersfield Police Department.

a bike, and had a "Spider-man" backpack with water bottles inside.

She stopped near the intersection of Ming Av-

enue and Ashe Road to drink some water when police arrived, the claim states.

Officer Christopher

Moore drew his gun and pointed it at her while telling her to put her hands in the air, according to the claim. He asked if she'd been to the Grocery Outlet on Ming Avenue, and she responded, "No."

Another officer, identified as G. Vasquez, then demanded to see her backpack, according to the claim. She asked if he had a warrant, and he said he didn't need one.

Vasquez then retrieved his K-9, Hamer. Fearing for her life, Hargrove handed the backpack over, the claim states.

Vasquez grabbed her as she put her hands above her head, the claim states, and as he pulled her toward him she fell on top of him. He then punched, got on top of her and placed his knee on her back and then her head, according to the claim.

Moore then gave Hamer a command to engage Hargrove. The dog "bit her leg severely as she screamed for help," the claim states.

Hargrove was handcuffed, taken to Kern Medical Center for treatment, then booked into jail. She was released the next morning.

The police account of events differs in several respects, alleging Hargrove was uncooperative from the beginning.

Moore wrote in his report he was told through the police scanner the machete-wielding suspect was a "black male, white shirt, carrying a pink backpack." He said he thought Hargrove was the male suspect.

Moore wrote he stopped Hargrove and she said, "What you all stopping another black person for. I'm out of here."

Vasquez attempted to detain her, according to the report. She interlaced her fingers behind her head while straddling the bicycle.

When Vasquez grabbed her hands, he lost his footing and fell to the ground, according to Moore's report, and Hargrove landed on top of him. The rest of the report closely follows the statement of facts laid out in the claim.

District Attorney Lisa Green dismissed all charges against Hargrove on Aug. 2, saying she did not believe prosecutors could convince a jury beyond a reasonable doubt that Hargrove committed a crime. She said both Hargrove and police handled the incident "poorly."

Police Chief Lyle Martin called Hargrove's parents to apologize to them and tell them the department will strive to do better.

Gehlawat said the apology and dismissal of charges isn't enough.

"They should really be taking a look at if anyone else should be charged in this case," he said.

He added he has no realistic expectation that will happen. But the claim, he said, is one way of holding police accountable.

The claim seeks damages in excess of \$25,000 for medical bills, lost wages and mental and emotional distress. The city has 45 days to respond.

City Attorney Ginny Gennaro could not immediately be reached for comment.

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