

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

ANDRANIK GRIGORYAN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:26-cv-1110
	)	
UNKNOWN CORRECTIONAL OFFICERS	)	
EMPLOYED BY THE INDIANA	)	
DEPARTMENT OF CORRECTION,	)	JURY TRIAL REQUESTED
	)	
Defendants.	)	

Complaint for Damages

Introduction

1. The United States Immigration and Customs Enforcement agency ("ICE") has contracted with the Indiana Department of Correction ("DOC") to house detainees being held pending civil immigration proceedings or removal at the Miami Correctional Facility ("Miami"). The staff in the cell blocks that house the ICE detainees are DOC employees.

2. Andranik Grigoryan was an ICE detainee placed at Miami from December 30, 2025 until May 15, 2026. On January 22, 2026, shortly after returning from the hospital after suffering a severe epileptic seizure and suffering injuries, and while still suffering the after-effects of his seizure and his injuries, he was sprayed with OC spray by Unknown Correctional Officers Employed by the Indiana Department of Correction. There was no

cause to do so. They stood outside his locked cell and sprayed him through an opening in his door as they apparently believed he had not reacted quickly enough when they indicated he was being moved to a different cellhouse. The spray blinded him and caused intense burning on his skin. After being sprayed he was handcuffed and forced out of his cell covered with burning OC spray, including in his eyes. He was not provided a shower after he was sprayed and was therefore caused additional pain as the spray stayed on his face and body.

3. The actions and inactions of the defendants violated Mr. Grigoryan rights protected by the due process clause of the Fourteenth Amendment to the United States Constitution. He is entitled to his damages, including punitive damages.

Jurisdiction, venue, and cause of action

4. This Court has jurisdiction of this case pursuant to 28 U.S.C. § 1331.

5. Venue is proper in this district pursuant to 28 U.S.C. § 1391.

6. This action is brought pursuant to 42 U.S.C. § 1983 to redress the deprivation, under color of state law, of rights secured by the Constitution of the United States.

Parties

7. Andranik Grigoryan is an adult resident of New York.

8. Unknown Correctional Officers Employed by the Indiana Department of Correction (“Unknown Correctional Officers”) are individuals who participated in the

denial of Mr. Grigoryan's rights as set out more fully below. As their names are unknown, the complaint will be amended to include their names when they become known.

Factual allegations

9. The DOC has entered into a contract with ICE to house civil detainees at Miami.
10. For each detainee housed at Miami, the DOC is paid \$291 a day by ICE.
11. The DOC has agreed to provide ICE with up to 1,000 beds at Miami for detainees, which, according to the DOC, is anticipated to generate between \$34 million and \$53 million in 2026 alone. Indiana Department of Correction, *2025 Year in Review* at 15 <https://online.flippingbook.com/view/388948878/> (last visited July 21, 2026).
12. The detainees are housed in buildings separate from DOC prisoners, but the buildings all have a similar floor plan.
13. The detainees are housed in cells that can each hold two persons.
14. The detainees are not incarcerated at Miami after being sentenced to the DOC pursuant to criminal convictions. They are civil detainees.
15. The DOC is legally and constitutionally responsible for providing adequate care to all persons confined in DOC institutions, including persons civilly detained by ICE and housed at Miami.
16. Andranik Grigoryan is not a citizen of the United States and was held in custody by ICE in various locations from December 7, 2023 to May 15, 2026.
17. He was freed from ICE custody on May 15, 2026 after prevailing in a habeas corpus

action.

18. From December 30, 2025 to May 15, 2026, he was detained at Miami and was held in housing units with other ICE detainees.

19. Mr. Grigoryan suffers from epilepsy, and on January 22, 2026, while he was confined in D-Building at Miami he had a serious seizure.

20. Immediately after a seizure, during what is called the postictal period, persons with Mr. Grigoryan's condition may experience confusion, disorientation, and exhaustion. As a result, Mr. Grigoryan does not remember the immediate after effects of the seizure.

21. However, he does know that he hit his head during the seizure and was lying in a pool of blood when correctional staff eventually came to his cell.

22. He was taken to a local hospital where he spent the day being treated for a head wound and the after effects of the seizure. He suffered a head wound that was glued at the hospital.

23. He was returned to Miami later in the day and was and placed back into his cell in D-Building.

24. He was still feeling the after effects of the seizures and his injuries. Some of his injuries were readily apparent as can be seen in photographs taken by a family member during a video call a few days after his seizure. (Exhibit 1).

25. Nevertheless, shortly after he returned to his cell, the Unknown Correctional Officers appeared outside of his cell and demanded that he pack up his belongings as he was being moved to a different building.

26. Mr. Grigoryan does not know the identity of any of the defendants.

27. Mr. Grigoryan was still confused as an after effect of the seizure and asked the officers what was going on and why he was being moved. He told the officers that he had done nothing wrong.

28. Given the after effects of the seizure, Mr. Grigoryan had a difficult time standing on his feet and certainly was not able to quickly pack his possessions for the move.

29. Nevertheless, he stood next to the locked cell door so he could talk to the officers through the solid door.

30. Up to that time, Mr. Grigoryan had not had any significant disciplinary issues at Miami, and certainly had never acted in a way that justified staff spraying him with OC spray, which is commonly known as “pepper spray.”

31. OC spray contains, and serves as an abbreviation for, oleoresin capsicum, which is an oil-based extract derived from hot chili peppers. It causes intense burning on the skin and eyes and frequently causes coughing and shortness of breath.

32. Mr. Grigoryan did not threaten the officers or forcibly resist them. He just asked why he was being moved.

33. The solid cell door has a rectangular opening in it, locked from the outside, referred to as a “cuffport.” This is opened so meal trays can be delivered to prisoners and so prisoners can extend their hands to be handcuffed.

34. Despite his obvious medically compromised condition and despite the fact that he had no history of violent or even disobedient behavior, the Unknown Correctional Officers opened up the locked cuffport and proceeded to spray him with OC spray.

35. Mr. Grigoryan is unsure if more than one of the officers sprayed him.

36. He was sprayed directly into his eyes, which blinded him and cause him severe pain. His eyes and skin burnt from the spray. The spray caused him to cough and to have shortness of breath.

37. He went to his sink near the door to try to wash his eyes out. However, before he could meaningfully wash the spray out of his eyes, the Unknown Correctional Officers entered his cell and handcuffed Mr. Grigoryan and took him out of his cell. He did not resist in any way.

38. Given the injuries that he had suffered earlier in the day, being handcuffed and removed from his cell was very painful. Moreover, he was in intense pain as the OC spray remained on his skin and in his eyes.

39. It is Mr. Grigoryan’s understanding that when prisoners are sprayed with OC they are supposed to be quickly afforded a shower and an opportunity to wash the pepper spray off.

40. Mr. Grigoryan was not provided this opportunity. Instead, once he was taken to his new cell in B-Building he attempted to wash himself in his sink. By being denied a shower he suffered unnecessary pain.

41. The application of force, including the use of pepper spray, and the failure to allow him to immediately wash off the pepper spray, was unjustified, objectively unreasonable, and represents an improper and unconstitutional use of force for which the Unknown Correctional Officers are liable.

42. Being forcibly removed from his cell given his compromised condition following his seizure and injuries was also unjustified, objectively unreasonable, and represents an improper and unconstitutional use of force for which the Unknown Correctional Officers are liable.

43. The actions of the Unknown Correctional Officers were taken with reckless or callous indifference to Mr. Grigoryan's rights.

44. At all times, the Unknown Correctional Officers were acting under color of state law.

Jury trial demand

45. Andranik Grigoryan requests a jury trial on all claims so triable.

Claim for relief

46. The actions of the Unknown Correctional Officers violated plaintiff's due process rights under the Fourteenth Amendment as a civil detainee.

Request for relief

WHEREFORE, plaintiff requests that this Court:

- a. accept jurisdiction of this case and set it for hearing at the earliest opportunity;
- b. award plaintiff his damages after a jury trial, including punitive damages;
- c. award plaintiff his costs and reasonable attorneys' fees pursuant to 42 U.S.C. § 1988.
- d. award plaintiff all other proper relief.

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