

TORT CLAIM

COVER SHEET

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Date and Time Document Received: 08-20-2025 3:02 pm

Name of Person Receiving Document (please print name and department): ROSANNA SANTIAGO - Clerk

Identify Document Received (tort claim, claim for damages, summons, complaint, etc.): tort claim and envelope entitled
"Johnson v. Norris et al Notice of Tort Claim Exhibits"

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Daniel Scheckler - in person at clerk's office

4. Gregory Johnson resides at [REDACTED], and he has resided at that address at the time of presenting and filing these claims and for a period of six (6) months immediately prior to the time these claims arose.
5. Kootenai County is a body politic and corporate in the State of Idaho.
6. Robert Norris is an elected Sheriff of Kootenai County, at all relevant times hereto acting under color of state law, or in the alternative, acting in his private capacity.
7. Sheriff Norris is the highest law enforcement officer for Kootenai County.
8. Sheriff Norris sets final policy within the office of the Kootenai County Sheriff.
9. All Sheriff deputies are subordinate to Sheriff Norris.
10. Claimant Gregory Johnson hereby gives notice of his tort claims against Sheriff Norris and Kootenai County as explained herein.
11. The acts complained of herein occurred at the Coeur d'Alene High School located at 5530 N 4th St, Coeur d'Alene, ID 83815, or otherwise in Kootenai County, State of Idaho.
12. The torts complained of herein include deprivation of civil rights under color of state law in violation of 42 U.S.C. § 1983, retaliation for exercise of protected speech, false arrest, false imprisonment, assault, battery, excessive force, negligence, and negligent supervision and training. Additionally, other causes of action may exist related to the facts and circumstances claimed herein, and the absence of the expression of such causes of action shall not be deemed a waiver.

13. The acts complained of herein occurred in the course and scope of Robert Norris's duties as Kootenai County Sheriff, or in the alternative, in his private capacity. The intentional acts complained of herein were done with malice.

14. Kootenai County is liable for the acts and/or omissions of its Sheriff complained of herein.

15. The allegations made herein may be viewed as a whole with each and every other allegation, even if separately denominated.

a. Gregg Johnson is a concerned citizen.

16. Gregg Johnson is an interior design professional. He is married and has a daughter in common with his wife. Their minor child attends school in the Coeur d'Alene School District.

17. Mr. Johnson is interested in State and local government and desires to see the government function well, and follow the rules that govern our government and each and every one of us.

18. Mr. Johnson desires to participate in government so that Coeur d'Alene continues to be a wonderful, safe place to raise a family.

19. As such, Mr. Johnson attends public meetings from time-to-time for purposes of learning about the issues affecting state and local government, listening to and interacting with government officials, and communicating his views to government officials and to the public regarding matters of public concern.

b. The KCRCC Advertised a Legislative Town Hall.

20. The Kootenai County Republican Central Committee is a body organized pursuant to Idaho Code § 34-502. It is an organization operating in Kootenai County, State of Idaho, and it may be referred to herein as the KCRCC.

21. The KCRCC advertised a “Legislative Town Hall” to be held at the Coeur d’Alene High School auditorium on February 22, 2025.¹

22. The KCRCC distributed a graphic or flyer advertising the event.²

23. This event was advertised on social media by the KCRCC and others.

24. The event was to be held at the Coeur d’Alene High School auditorium.

c. Coeur d’Alene School District policies govern the use of the facility.

25. Coeur d’Alene High School is operated by the Coeur d’Alene School District #271, which may hereinafter be referred to as the School District, or District.

26. Coeur d’Alene High School is situated on real estate owned by the School District.

27. Coeur d’Alene School District #271 is a body corporate and politic operating in the State of Idaho. It is organized pursuant to Idaho Code § 33-301 *et seq.*

28. The School District is governed by a Board of Trustees and is operated by a superintendent and such agents and officials acting under the superintendent pursuant to policies and procedures of the School District.

29. One such policy of the School District is that “The buildings and grounds owned, leased, or rented by the District are to be used only for educational purposes *or other public*”

¹ Exhibit A, Facebook Advertisement of Legislative Town Hall.

² See Exhibit B, Legislative Town Hall Flyer.

*purposes as approved by the Board or its authorized representatives.” District Policy Manual § 9505 (emphasis added).*³

30. The use of school facilities is contingent on the organization acknowledging that “All individuals using school facilities shall comply with the policies of this Board,” and that the “organization or individual granted use must follow the policies, rules and regulations of the Board...” District Policy Manual §§ 9605, 9605-P.⁴
31. The School District’s policies provide that the school principal or his designee may take appropriate action to remove unauthorized persons and may request that the unauthorized person leave the school. District Policy Manual §§ 4140, 9605.⁵
32. The School District policy provides that after the School Principal or his designee makes a request for removal of an unauthorized or disruptive person, “[i]f the individual does not leave voluntarily or resists removal, law enforcement **shall** be notified and requested to assist in the removal.” (emphasis added).⁶

d. The School District did not convey to the KCRCC the right to remove disruptive persons from District property.

33. To obtain use of the Coeur d’Alene High School facility, the KCRCC signed and submitted a Facility Use Agreement, acting through its authorized agents.⁷

³ See Exhibit C, District Policy Manual § 9505.

⁴ See Exhibit D District Policy Manual § 9605, and Exhibit E District Policy Manual § 9605-P.

⁵ See Exhibit F, District Policy Manual § 4140, and Exhibit G, District Policy Manual § 9605.

⁶ See Exhibit F, District Policy Manual § 4140.

⁷ See Exhibit H, Facility Use Agreement.

34. The Facility Use Agreement did not implicitly or explicitly provide the KCRCC the *exclusive* use of the facility; rather, the use agreement only granted a license to use the facility.
35. The Facility Use Agreement did not specify that the KCRCC had either the covenant of quiet enjoyment of the facility, or the exclusive use of the facility.
36. Rather, the Facility Use Agreement provided that the KCRCC could use the facility for a *public* event.
37. This is a license of access to real property, which is distinguished from a grant of exclusive access or possession, like a lease agreement. Property ownership is often described as a "bundle of rights," including the rights to possess, use, exclude, and transfer the property.
38. The Facility Use Agreement was in accordance with the policies and procedures of the School District which reserved the public use of the facility, and the agreement also reserved for the School District the authority to remove disruptive persons, by referring to their own policies.⁸
39. At all times, the School District retained the sole authority to remove disruptive or unauthorized persons at the KCRCC Town Hall event.
40. This authority was never transferred to the KCRCC or its designee, or Sheriff Norris, and was instead retained by the school principal or his designee, pursuant to District policies.

⁸ See e.g. Exhibit C, District Policy Manual § 9505; Exhibit D District Policy Manual § 9605; Exhibit E District Policy Manual § 9605-P; Exhibit F, District Policy Manual § 4140; Exhibit G, KCRCC Insurance Declarations, and Exhibit H Facility Use Agreement.

41. The Coeur d'Alene High School principal or his designee did not authorize the KCRCC or its representatives, including Sheriff Bob Norris, to remove disruptive persons.

e. Bob Norris Provided Security for the Event While Acting in His Capacity as Sheriff

42. The KCRCC organized the townhall with a legislative committee chaired by Jamie Hass.

43. Thomas Gandy, the School District's safety and security coordinator asked the legislative committee what the security for the event would be.⁹

44. Jamie Hass, chair of the legislative committee, wrote in electronic correspondence to other members of the KCRCC that Sheriff Norris would be in attendance.¹⁰

45. After the incident, the KCRCC chairman, Brent Regan, said that Sheriff Bob Norris had all the details for the security for the event and that nothing was done without him being aware.¹¹

46. At the event, Sheriff Norris informed members of the public that he was the Sheriff of this County and implied that compliance with his requests was required by law.

47. However, Sheriff Norris did not have any authority to remove any person from the real property owned by the school district, unless making an arrest, or otherwise detaining a person as provided by law.

48. Sheriff Norris dressed in plain clothes, and adorned a hat that said sheriff. This indicated an ambiguity he would later exploit, of whether he was acting as a Sheriff, or as simply a political candidate for office with no authority other than the power of

⁹ See Exhibit I Thomas Gandy Emails

¹⁰ See Exhibit J Coeur d Alene Police Report 25C08232 Redacted

¹¹ See Exhibit K CDA Press Article

persuasion.

49. Sheriff Norris was not authorized by the Coeur d'Alene High School Principal (or his designee) to trespass individuals from the high school auditorium and remove members of the public from the real property owned by the District.
50. The MC did not announce that Sheriff Norris was authorized to command people to leave the Coeur d'Alene High School Auditorium.
51. The Coeur d'Alene High School Principal or his designee never commanded Gregg Johnson or Teresa Borrenpohl to leave the Coeur d'Alene High School Auditorium on or about February 22, 2025.

f. KCRCC Meets with Lear Asset Management on February 20, 2025

52. On February 20, 2025 members of the KCRCC and/or KCRCC Legislative committee met with Paul Trouette of Lear Asset Management, Inc., at the Coeur d'Alene High School.¹²
53. Sheriff Norris was not present at this meeting.
54. The purpose of this meeting was for security planning.
55. Paul Trouette and the members of the KCRCC inspected the high school facility and developed some security plans for the Town Hall
56. Sheriff Norris did not participate in the planning and inspection of the facility at that time.
57. Officer Josh Reneau of the Coeur d'Alene police department interviewed Paul Trouette prior to the February 22, 2025 town hall, on February 21, 2025.¹³

¹² See Exhibit J Coeur d Alene Police Report 25C08232 Redacted; Exhibit L KCRCC Walkthrough at CHS on 2-20-25 - Videos 1-10; Exhibit M Coeur d Alene Police Report 25C08040 Redacted.

¹³ See Exhibit M Coeur d Alene Police Report 25C08040 Redacted.

58. They discussed the need for a security contract, at that time, prior to the incident.
59. Before the Town Hall, Officer Reneau discussed with Paul Trouette the absence of a security agreement, the need to not carry firearms on school property, and the need for security to be identifiably marked as security for the event.
60. Neither Sheriff Norris, the KCRCC, Paul Trouette, and/or Lear Asset Management received or signed a security agreement with the District, authorizing them to remove disruptive persons on the District's behalf.
- g. Gregg Johnson attended the Town Hall, concerned about issues affecting his daughter's education.**
61. Gregg Johnson is married and he and his wife have a minor child who attends school in the Coeur d'Alene School District.
62. Mr. Johnson works as a professional interior designer.
63. Mr. Johnson is concerned about the direction our elected officials are taking our State, primarily in regards to his daughter's education.
64. Due to his concern for public issues, Mr. Johnson attended the "Town Hall" with his legislators—elected to represent him.
65. Mr. Johnson wanted to learn from his representatives, and possibly instruct them on his views, if given the opportunity.
66. On February 22, 2025, Gregg Johnson arrived shortly before the Town Hall was scheduled to begin.¹⁴
67. He observed an empty aisle seat, and took the aisle seat so he could stretch his legs

¹⁴ See Exhibit N CHS Auditorium Panorama View at 0:53:16
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into the aisle easily.

68. Due to his age and the condition of his hips and knees, he walks with a limp and unsteady gait.¹⁵ He has two disintegrating discs in his lumbar spine, pinching his nerves causing significant pain. At the time of this incident, he had a serious knee condition, which resulted in a knee replacement surgery after this incident on or about May 5, 2025.

69. There were empty seats to his left.

70. The seats next to Mr. Johnson were empty.

71. Mr. Johnson arrived alone, and did not meet up with any other person.

72. Mr. Johnson did not coordinate to attend the meeting with any other person, prior to this event.

73. Mr. Johnson did not previously know Teresa Borrenpohl prior to this Town Hall.

74. Teresa Borrenpohl arrived approximately twenty minutes after the Town Hall began.¹⁶

75. She took a chair two seats to Mr. Johnson's left.

h. Ed Bejarana further agitated an unruly crowd

76. Ed Bejarana was the Master of Ceremonies, or MC, of the Town Hall.

77. At the beginning of the Town Hall Mr. Bejarana read written remarks that said: "Our goal is to foster a productive and respectful environment where each voice can be heard and each point can be thoroughly considered."¹⁷

78. He continued: "We are here not only to listen, but to engage constructively. Let's make

¹⁵ See Exhibit N CHS Auditorium Panorama View at 0:53:16

¹⁶ See Exhibit N CHS Auditorium Panorama view at 1:26:14

¹⁷ See Exhibit O KCRCC Media Clip at 0:00:30; Exhibit P Stationary Aisle Video at 51:50

the most of this opportunity to connect with our representatives and each other in a meaningful way.”

79. Yet this respectful script was quickly abandoned by Mr. Bejarana.

80. Various legislators spoke during the Town Hall.

81. During the Town Hall, various members of the audience would cheer or jeer to support or oppose the elected legislators.

82. One legislator brought up *Roe v. Wade*.¹⁸

83. Some members of the audience interrupted the speaker and expressed their disapproval of his views.

84. The legislator ignored the mild interruptions and continued speaking.

85. However, the MC, Ed Bejarana, interrupted the legislator.

86. He said: “You folks who are just popping off with stupid remarks. You’re not taking into account the people sitting next to you. There is a bunch of people that came here to hear them. There is an opportunity for you to sound off but not right now. And because you are not smart enough to know that you are just crazy people.”

87. These remarks escalated tensions in the room, rather than easing them or encouraging respectful dialogue.

88. Mr. Bejarana did not take appropriate steps to calm the crowd or maintain a respectful dialogue as previously scripted.

89. The crowd was loud and boisterous with shouts from around the room.

90. Someone shouted “why don’t you be civil and shut up.”

¹⁸ See e.g. Exhibit P Stationary Aisle Video at 1:27:40
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91. Mr. Bejarana continued to speak, and did not allow the town hall to continue.
92. This continued to be a dynamic with the crowd where the agitation continued, as it was egged on by Mr. Bejarana attempting to over-talk them into silence.
93. Mr. Bejarana stated that "What I'm doing up here is I am simply overtalking you because your voice is meaningless right now and we are just taking care of the rabble rousers."

i. Teresa Borrenpohl Gets Removed or Arrested

94. Sometime during the agitation, Teresa Borrenpohl, seated two chairs away from Mr. Johnson shouted "is this a Town Hall or a lecture" during Mr. Bejarana's overtalking.¹⁹
95. Sheriff Norris approached Teresa Borrenpohl.
96. Sheriff Norris shouted at Ed Bejarana to "stop the meeting" gesturing with his hands.²⁰
97. Ed Bejarana continued to overtalk the crowd, despite Sheriff Norris's instructions.
98. During this agitation, Sheriff Norris said to Teresa Borrenpohl: "get up or be arrested."²¹
99. Sheriff Norris looked at Gregg Johnson and said "can you please move?"²²
100. **Gregg Johnson obliged, immediately, and rose from his seat, and stepped away, allowing Sheriff Norris access to Teresa Borrenpohl.**
101. Teresa Borrenpohl asked Sheriff Norris: "is this your jurisdiction."
102. Sheriff Norris responded: "yes, it is."

¹⁹ See Exhibit Q Video by Citizen A at 0:00:44.

²⁰ See Exhibit Q Video by Citizen A at 0:01:08; Exhibit R Video by Citizen B at 0:00:06; Exhibit S Video by Citizen C 0:00:35.

²¹ See Exhibit R Video by Citizen B at 0:00:10.

²² See Exhibit R Video by Citizen B at 0:00:15; Exhibit N CHS Panorama View at 1:51:50.

103. Sheriff Norris asked Mr. Johnson to step away further, and Gregg Johnson complied and backed up further.²³
104. Sheriff Norris then said to Teresa Borrenpohl "Hi I am Robert Norris I am the Sheriff of this County, I am asking you to leave on video. Please get up or be escorted out."²⁴
105. She asked "escorted out?"
106. During this some members of the audience chant and shout "free speech, free speech."²⁵
107. Sheriff Norris then said: "let's go," and proceeded to grab her arm. With both hands (despite being disabled in his shoulder).
108. Sheriff Norris did not tell Ms. Borrenpohl that she was under arrest, despite it being reasonably practicable and safe to inform her that she was under arrest.
109. If she was under arrest, informing Ms. Borrenpohl that she was under arrest was reasonably necessary under the totality of the circumstances to avoid creating confusion, including about Sheriff Norris's role, and on what legal basis he was going hands-on with a female citizen.
110. Sheriff Norris did not tell Ms. Borrenpohl that she was being detained, despite it being reasonably practicable and safe to inform her that she was being detained.
111. If she was being detained, informing Ms. Borrenpohl that she was being detained was reasonably necessary under the totality of the circumstances to avoid creating

²³ See Exhibit R Video by Citizen B at 0:00:45; Exhibit Q Video by Citizen A at 0:01:50; Exhibit S Video by Citizen C at 0:01:18; Exhibit N CHS Auditorium Panorama View at 1:52:26.

²⁴ See Exhibit R Video by Citizen B at 0:01:02; See Exhibit T Video by Norris and Security 0:00:01

²⁵ See Exhibit S Video by Citizen C at 0:01:12.

confusion, including about Sheriff Norris's role, and on what legal basis he was going hands-on with a female citizen.

112. Sheriff Norris did not tell Ms. Borrenpohl that she was being trespassed from District property by the School Principal or his designee, despite it being reasonably practicable and safe to inform her that she was not authorized to remain on District property, and that he was so authorized to act on behalf of the School Principal or his designee.
113. If she was being trespassed, informing Ms. Borrenpohl that she was being trespassed and the basis of the authority from the real property owner was reasonably necessary to avoid creating confusion, including about Sheriff Norris' role and on what legal basis he was going hands-on with a female citizen.
114. Sheriff Norris's failure to adequately communicate the aforesaid information created an unreasonable seizure of Ms. Borrenpohl under the Fourth Amendment and led to his use of excessive force upon a female citizen.
115. Reasonably contemporaneously, Ed Bejarana continued to engage in overtalking the crowd, which contributed to a chaotic ruckus.
116. While Sheriff Norris grabbed her arm, she stated "please don't touch me." She repeated herself several times.
117. She warned him "Bob, you know this is a bad idea."
118. Sheriff Norris then let go of her arm and retreated.
119. Sheriff Norris received disability payments for an arm or shoulder injury.
120. Sheriff Norris may not have had the capacity to follow through on arresting or detaining or removing this female after going hands-on, to fully effectuate such action

in a safe and responsible manner.

121. He gestured at some members of Lear Asset Management, and at Teresa Borrenpohl.

122. The Lear Asset Management employees were not wearing a badge, or any identifiable markings as security.

123. The Lear Asset Management employees were not Sheriff Deputies.

124. Sheriff Norris did not orally announce to Mr. Johnson or the public that he was utilizing the assistance of Lear Asset Management Employees to assist in the performance of his lawful duties, despite it being reasonably practicable to do so in a safe manner, and necessary to avoid confusion and to prevent unreasonable escalation.

125. Such an employee approached Teresa Borrenpohl and grabbed her and said "let's go."²⁶

126. She responded: "Who are you?" "Who the fuck are you?" "Let me see your badge." "Who is this, who is this." "You're not a Sheriff." "Don't touch me."

127. "Excuse me Sheriff Norris, this man is assaulting me," she shouted.

128. "Is this your Deputy." She repeatedly shouted. "Who the fuck are these men." She repeatedly shouted.

129. Sheriff Norris stood silent, and refuse to answer her.

130. Sheriff Norris refused to clarify that these were men acting upon his authority, or were his deputies, despite it being reasonably practicable and safe to do so, and despite it being reasonably necessary to prevent escalation, unreasonable or excessive

²⁶ See Exhibit R Video by Citizen B at 0:01:47; Exhibit Q Video by Citizen A 0:03:18

force, or an unreasonable seizure.

131. Sheriff Norris was not clearly and unequivocally acting to make an arrest, make a detention, or trespass Ms. Borrenpohl on behalf of the School District.

132. Rather, it appeared that he was merely using his role as the Sheriff to bully compliance with his directives, rather than explain what was happening, while he was not in uniform, at a political town hall function.

133. This ambiguity made the encounter and seizure unreasonable under the totality of the circumstances.

134. Other men assisted in grabbing Teresa Borrenpohl and dragged her from the event.

135. The men refused to identify themselves as security, or as sheriff deputies.

136. Sheriff Norris did not tell Teresa Borrenpohl that she was under arrest.

137. Sheriff Norris did not tell Teresa Borrenpohl that she was being detained.

138. Sheriff Norris did not clarify his ambiguous role, instead using it as both a sword and a shield.

139. Sheriff Norris did not state that the Lear Security agents were deputized, were authorized to make an arrest or detention, or were in fact making an arrest or detention.

140. The men were not wearing identifiable markings, identifying them as security.

141. It was unclear who the men were, in what capacity they were acting, and what their authority was to so act.

142. The totality of the circumstances made the seizure unreasonable.

143. Sheriff Norris shouted "you're out" to various people.

144. He did not identify the person he was saying “you’re out” to, creating confusion in the audience and public about whether or not they had to comply with his directives.
145. He did not tell them they were trespassing.
146. He did not tell them they were being removed by the authority if the School Principal or his designee.
147. He did not explain his authority to act as an agent for the District to direct these people that they are to leave the premises.
148. His lack of clarity was unreasonable, despite there being a reasonable opportunity to clarify the situation, and avoid confusion—in fact, it was reasonably necessary for the safety of all people involved to clarify the situation and his authority.
149. The men wrestled Teresa Borrenpohl to the ground.
150. All the while, Ed Bejarana continued to overtalk the crowd, and mocked Teresa Borrenpohl.
151. Ed Bejarana mocked her by imitation and saying “look at her: ‘no, no, no, I shouldn’t be removed.’”²⁷
152. “I just happen to have a nice loud voice and a big microphone,” Mr. Bejarana said.
153. He specifically mocked Teresa Borrenpohl: “This little girl is afraid to leave. She spoke up and now she doesn’t want to suffer the consequences,” he said.

j. Gregg Johnson Gets Arrested for Speaking Against the Mistreatment of a Woman.

154. Meanwhile, Gregg Johnson observed this chaotic and remarkable scene.

²⁷ See Exhibit Q Video by Citizen A at 0:03:18;
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155. Gregg Johnson hadn't been disruptive during the Town Hall.
156. Gregg Johnson was alarmed at the conduct of the speaker, the crowd, and Sheriff Norris.
157. He said "you're not helping" when the MC agitated the crowd with his inflammatory rhetoric.²⁸
158. Gregg Johnson believed a woman was not being treated with the dignity and respect she deserved, and was being handled in an excessive and unreasonable manner.
159. It was alarming for him to see a woman physically removed by men not marked with security, in a rough and unprofessional manner with a crowd audibly agitated.
160. Gregg Johnson was concerned for the safety of this woman who he did not know.
161. Although compliant with the Sheriff's directions, he did not agree with the actions of the men not identified as Sheriff Deputies nor identified as security.
162. The atmosphere of the crowd was disorderly, and the actions looked excessive against a defenseless female. The conduct of the MC, Ed Bejarana, appeared to Gregg Johnson to escalate and agitate the situation, rather than calm it.
163. Gregg Johnson didn't interfere physically with the actions of the men.
164. Gregg Johnson used words, with a reasonable and appropriate volume under the circumstances.
165. These words were well below the volume of the crowd and Mr. Bejarana.
166. His words were protected by the First Amendment, and were not disruptive.

²⁸ Exhibit Q by Citizen A 0:03:22
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167. He said "Hey, leave her alone" to the three unidentified men manhandling one woman using excessive force and in unprofessional manner, not appearing to use proper tactics or procedures for physically detaining a person.²⁹
168. This statement did not disturb the peace of anyone, nor did it interfere with a lawful arrest.
169. Gregg Johnson had committed no crime.
170. Without warning or justification, Sheriff Norris approached Gregg Johnson from behind and forcibly grabbed him, resulting in unlawful physical contact amounting to battery.
171. After touching Gregg Johnson, Sheriff Norris said "you're out too, come on."³⁰
172. Sheriff Norris did not give Gregg Johnson an opportunity to immediately depart from the real property owned by the District.
173. Sheriff Norris did not clearly, unambiguously, and unequivocally request that Gregg Johnson leave the real property owned by the District.
174. Sheriff Norris did not inform Gregg Johnson that he was authorized by the School District, the principal or his designee to request that Greg Johnson leave the facility and real property owned by the District.
175. Sheriff Norris was not authorized by the District to request that Gregg Johnson leave the Town Hall or the real property owned by the District.

²⁹ See Exhibit S Video by Citizen C at 0:03:31; Exhibit T Video by Norris and Security at 0:02:04; Exhibit N CHS Auditorium Panorama View at 1:54:40.

³⁰ See Exhibit S Video by Citizen C at 0:03:31; Exhibit T Video by Norris and Security at 0:02:04

176. Neither the school principal or his designee requested that Greg Johnson leave the auditorium.
177. Gregg Johnson did not commit the crime of trespassing.
178. Nor did Gregg Johnson disturb the peace, or interfere with an officer performing his duties.
179. Sheriff Norris had refused to clarify the role of himself and the Lear Asset Management employees and their purpose, despite being repeatedly asked.
180. Such clarification was reasonably necessary to provide for the safety of all involved.
181. Such clarification was reasonably necessary if the men were arresting or detaining Ms. Borrenpohl on the authority of the Sheriff, under the totality of the circumstances.
182. Ordinarily Idaho Code 19-608 requires a person making an arrest to inform the person of the intention to arrest him, with a few exceptions.
183. Sheriff Norris did not inform Gregg Johnson of intention to arrest him.
184. Under the totality of the circumstances, it was reasonably necessary to inform Gregg Johnson of the intention to arrest or detain him, and it was reasonably practicable to do so.
185. It was not immediately apparent to Gregg Johnson who had grabbed him and said those words, *i.e.* "you're out."
186. While being forcibly handled by Sheriff Norris, Gregg Johnson lost his balance and brushed Sheriff Norris off of him, saying "no I'm not," unsure of his assailant.
187. He then encountered Sheriff Norris, while regaining his balance due to his aging hips and knees.

188. Sheriff Norris did not tell Gregg Johnson that he was under arrest.
189. Sheriff Norris did not tell Gregg Johnson that he was being detained.
190. Sheriff Norris did not properly communicate the intention to arrest.
191. Sheriff Norris had not previously informed the public or Gregg Johnson that these men were performing a public duty, and assisting the Sheriff in the performance of a public duty recognized by law, despite such clarification being reasonably necessary, and there being a reasonable opportunity to do so.
192. There was a reasonable opportunity to communicate that he was placing Gregg Johnson under arrest or detained, but failed to do so.
193. Sheriff Norris was not in uniform and was not clearly identifiable as a law enforcement officer.
194. The force used was excessive due, in part, to Sheriff Norris's failure to communicate.
195. Sheriff Norris did not communicate that Gregg Johnson was free to terminate the encounter, and leave the facility voluntarily.
196. Gregg Johnson attempted to comply and leave, but was not given an opportunity to leave.
197. Sheriff Norris again grabbed at Gregg Johnson and said "do you want to go to jail?" Never explicitly telling him he was under arrest, but his actions at that point were clear, and Gregg Johnson complied with the false arrest.
198. Gregg Johnson complied with Sheriff Norris's directives, and said "take me." Indeed, he previously complied with Sheriff Norris's prior requests and was not disruptive.

199. Sheriff Norris continued to hold onto Gregg Johnson and walked him to the hallway in front of the crowd, with the assistance of Paul Trouette.
200. Sheriff Norris with the assistance of Mr. Trouette roughly pushed Gregg Johnson against a wall, spread his legs, and zip tied his hands.
201. Gregg Johnson informed them that his legs could not spread further, due to his hip and knees.³¹
202. Paul Trouette frisked Mr. Johnson, touching him without consent.
203. Sheriff Norris retaliated against Gregg Johnson for his standing up for Teresa Borrenpohl, in violation of the First Amendment.
204. Sheriff Norris did not remove loud and disruptive people heckling Teresa Borrenpohl, or supporting his actions at removing her—he only took action against critics he disagreed with.
205. Sheriff Norris observed a man saying loudly speaking against Teresa Borrenpohl and her behavior. But this man, despite his loud conduct, did not get arrested and manhandled for his speech supporting Sheriff Norris's actions and the actions of the men detaining Teresa Borrenpohl—while Gregg Johnson was arrested for speaking against it.³²
206. Indeed, immediately following this incident a female senior citizen approached Sheriff Norris, and expressed her concerns about disruptions being enforced on “any side of the coin.”³³

³¹ See Exhibit T Video by Norris and Security at 0:02:40

³² Exhibit T Video by Norris and Security at 0:03:40.

³³ Exhibit T Video by Norris and Security at 0:05:50.

207. Sheriff Norris did not have probable cause, nor reasonable suspicion to believe Gregg Johnson committed any crime.
208. Sheriff Norris violated Mr. Johnson's right to be free from unreasonable searches and seizures in violation of the Fourth Amendment.
209. Sheriff Norris falsely arrested Gregg Johnson.
210. Sheriff Norris battered Gregg Johnson.
211. Sheriff Norris assaulted Gregg Johnson.
212. All Gregg Johnson did was comply with Sheriff Norris's request to get up out of his chair, and then back away from the encounter, and then tell private citizens to leave a woman alone.
213. Sheriff Norris failed to individually assess Mr. Johnson's conduct before initiating force and detention. His actions appeared reactive and disproportionate, suggesting a lack of professional restraint.
214. The Lear Asset Management Manual for the Legislative Town Hall stated that Lear Personnel will "warn those who are disruptive in the meeting to cease, or they will be removed or the direction of the chair."³⁴
215. Gregg Johnson was never warned that he was disruptive.
216. Because Sheriff Norris was not delegated authority from the property owner—the School District—and failed to provide Mr. Johnson with notice, an opportunity to leave, or any explanation for his removal, his actions constitute a deprivation of liberty

³⁴ See Exhibit U Lear Asset Management Manual for Legislative Town Hall.
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without due process, in violation of the Fourteenth Amendment and established Ninth Circuit precedent.

217. Gregg Johnson is entitled to rights reflected in the United States Constitution and Idaho State Constitution, including but not limited to those rights secured by the First Amendment of the United States of America and Article I, §§ 9 and 10 of the Idaho Constitution, to freely associate with other persons, assemble, consult and speak with government officials and the public, and the right to petition the government for a redress of his grievances.
218. Sheriff Norris cannot remove citizens from a public Town Hall simply because he disagrees with their speech or he doesn't like their words.
219. Mr. Johnson's statement— 'leave her alone'—constituted non-disruptive, protected speech under the First Amendment. Sheriff Norris, acting under color of state law, immediately seized and removed Mr. Johnson in direct response to this speech. The temporal proximity and lack of probable cause support an inference of unconstitutional retaliation in violation of the First Amendment.
220. The force used against Mr. Johnson was objectively unreasonable in light of the circumstances. He was not suspected of any crime, was fully compliant, and posed no threat to any person or property. His seizure and restraint violated the Fourth Amendment.
221. Sheriff Norris is a final policymaker for the County on matters of law enforcement. His conduct at the February 22 event reflects an official policy or custom of suppressing

dissent and violating constitutional rights. As such, Kootenai County is liable under *Monell* for the constitutional deprivations inflicted by its chief law enforcement officer.

222. As a direct and proximate result of the aforesaid acts or omissions and deprivations of constitutional rights, Gregg Johnson suffered reputational harm, public embarrassment, pain to his hips and knees, the loss of liberty, mental anguish and other suffering. Further, this incident has a chilling effect on Mr. Johnson's willingness to participate in public events and speak freely near government officials.

223. The incident was nationally published, and spread virally across social media. Mr. Johnson's reputation was significantly tarnished as a result of this false arrest.

224. Sheriff Norris acted with willful indifference and reckless disregard for Mr. Johnson's constitutional rights. Punitive damages are warranted to punish such misconduct and deter future violations.

225. Claimant's damages are ongoing.

226. Claimant hereby claims the sum of \$2,500,000.00 from Kootenai County and Sheriff Norris as both compensatory and punitive damages.

227. An effective Constitutional Sheriff must exercise restraint and uniformly apply the law to all citizens. He must let members of the public speak without retaliation. He must not lump all people together by association, and he must fairly analyze each individual situation before taking action.

228. Kootenai County must compensate Gregg Johnson for his damages suffered, and to further compensate him in an amount that will prevent and deter Kootenai County and its governing officials from depriving citizens of their constitutional rights.

DATED: 8-20-2025

SHECKLER LAW OFFICE, PLLC

/s/ Daniel Sheckler

BY:

Daniel Sheckler

Johnson v. Norris et al
Notice of Tort Claim
Exhibits