

IN THE CIRCUIT COURT OF HAMILTON COUNTY, TENNESSEE

██████████,	)	
	)	JURY DEMAND
PLAINTIFF,	)	
	)	DOCKET NO. _____
vs.	)	
	)	DIVISION _____
CITY OF CHATTANOOGA,	)	
CITY OF CHATTANOOGA POLICE	)	
DEPARTMENT, CHIEF FRED FLETCHER	)	
In his official capacity as police chief of the	)	
City of Chattanooga Police Department, and	)	
KARL FIELDS.	)	
	)	
DEFENDANTS.	)	

**COMPLAINT FOR DAMAGES**

Comes now the plaintiff, ██████████, by and through counsel and brings this action for damages against the City of Chattanooga, City of Chattanooga Police Department, Chief Fred Fletcher in his official capacity as police chief of the City of Chattanooga Police Department and Karl Fields, a detective with the City of Chattanooga Police Department, an employee and authorized representative of the City of Chattanooga Police Department and in his individual and official capacities. As grounds for her action, ██████████ would show the court as follows:

**Factual Basis for the Complaint**

1. In May of 2014, ██████████ was held hostage in a hotel room for two days by a man who repeatedly beat her, raped her, tortured her and forced her to use illegal drugs. He burned her and urinated on her and subjected her to humiliating acts, such as recording forcible sexual acts. ██████████ is a resident of Hamilton County Tennessee.

2. [REDACTED] was able to escape when her captor passed out and the police were notified.
3. The perpetrator was indicted by the Grand Jury of Hamilton County, Tennessee and is currently awaiting trial.
4. During her captivity, the perpetrator told [REDACTED] that if she ever tried to turn him in, he would make sure that his friends in the "Mexican Mafia" would find her and "finish her off."
5. As a result of the beatings, rapes and torture she endured, and as a result of fear that her perpetrator would have someone find her and kill her, [REDACTED] was and is extremely anxious and vulnerable and is experiencing severe emotional distress. She is also in significant physical pain as a result of injuries to back and neck, which resulted from the attacks.
6. Detective Karl Fields ("Fields") was assigned to investigate [REDACTED] case on behalf of the City of Chattanooga Department of Police. Fields is a resident of Hamilton County Tennessee and at all times pertinent to the allegations of this complaint was employed by the City of Chattanooga and the Chattanooga Police Department. Additionally, as his role dictated in the Chattanooga Police Department, Fields was at all times acting as an agent of the Chattanooga Police Department and the City of Chattanooga thereby making any acts or actions committed by Fields imputable to the City of Chattanooga and the Chattanooga Police Department.
7. Fields was present when [REDACTED] appeared at the preliminary hearing of her perpetrator, which included graphic descriptions of the rapes, beatings and torture. Photographs of her body, covered in bruises, were displayed and were seen by Fields. Accordingly, Fields was aware that [REDACTED] was suffering severe physical and mental distress on that occasion and

on all subsequent occasions during which they were in contact. Moreover, Fields had come to the hospital where ██████ was taken after she escaped from her perpetrator, and was, therefore, very well aware of the damages to her person. At the times that Fields appeared before the court, and at all times during this investigation, Fields was acting within the scope of his authority and was acting as an authorized officer of the City of Chattanooga and the Chattanooga Police Department in investigating these claims. At all times either the City of Chattanooga and the Chattanooga Police Department had actual or constructive knowledge of the activities of Fields in investigating this incident.

8. At her preliminary hearing, Fields and another officer whose identity is unknown, talked about the rape videos that the perpetrator had recorded and joked that they were "YouTube material," in a manner that ██████ found humiliating.

9. On the evening of June 25, 2014, Fields took ██████ to the El Meson restaurant in Hixson, TN purportedly for an interview regarding his ongoing investigation of her perpetrator.

10. On that occasion, Fields, knowing of ██████ fragile state and her psychological state of mind making her vulnerable, told her that he was very physically attracted to her and would like to have a romantic and physical relationship with her. He told her that "the spark was gone" with his wife and that he was often unfaithful to her.

11. Fields also told her that he liked to go to that restaurant because his friend "Tony", the owner, had a gambling and strip club that he operated in the restaurant after hours and he served as Tony's "eyes and ears". Consequently, Tony let him eat and drink there for free.

12. He told ██████ that he had watched the phone videos of her having sex with the perpetrator that the perpetrator had taken. He told ██████ he was watching them with the

sound off and made a remark and a gesture suggestive of his desire to masturbate while viewing the videos. It was part of Fields role as investigator of the crimes committed against ██████ to view the evidence, including the videos.

13. He told ██████ that he wanted more pictures of her showing her bruises.

14. At the El Meson restaurant, Fields pulled ██████ into the men's room grabbed both of her wrists and pulled them above her head, pushed her up against the wall and began kissing her. ██████ was upset as the assault was unwelcome. Because much of the abuse that had occurred during her rape took place in a bathroom, she began having a panic attack. She managed to pull away and fled the bathroom.

15. Fields brought ██████ home from the restaurant and asked to use her bathroom. He was very drunk. She let him in and he went into the bathroom. He was very loud and Ms. ██████ cautioned him that her mother was sleeping in a room close by.

16. After he emerged from the bathroom, Fields grabbed ██████ and began fondling her legs, breasts and other parts of her body. ██████ told him he was hurting her. She pulled away and walked out the front door to lead him out of the house.

17. When he got outside he admitted that he was probably too drunk to "get it up" anyway. He then left the house.

18. Subsequently, Fields continued to contact ██████ with lewd text messages and suggestions that they embark on a sexual relationship. (see Exhibit 1). Fields was attempting to take advantage of ██████ and to use his position as the investigator into the criminal charges to exercise control and influence over ██████

19. On several occasions, Fields also texted her from his car when he was watching her house, commenting on what she was wearing, and stating that he was "stalking her."

20. On at least two occasions, an African - American male was seen hiding in the bushes outside ██████ house. He was observed by a neighbor who was unable to get his tag number, but told ██████ that it was a black and white tag, and was different from an ordinary Tennessee license tag.

21. On other occasions, Fields parked his car and directly outside ██████ bedroom window. He sometimes texted her about what she was wearing.

22. Fields contacted ██████ using his police department issued cell phone. These texts and contacts persisted throughout the summer of 2014.

23. Fields told ██████ that he had met other women through rape investigations he had conducted and had sexual affairs with them. One of the women was the mother of a 14 year old rape victim. He told ██████ that it was a good way to meet women for sex. It is further alleged that the Chattanooga Police Department and the City of Chattanooga had actual or constructive notice of these acts and of other improper acts committed by Fields in his role as an officer and detective with the City of Chattanooga Police Department.

24. ██████ felt sickened and disgusted by Fields' texts, comments and stalking behavior, but because he was the lead investigator on her case, she was afraid to make him angry for fear he would not use his best efforts to put her perpetrator behind bars.

25. Fields continued to text and harass ██████ on police department time using police department resources as he continued the investigation of her case.

26. On the night before Fields left to go on vacation, Fields called her 73 times between the hours of 12:30 AM and 10:30 AM. After this incident, ██████████ became very frightened that Fields had become obsessed with her.

27. Finally, ██████████ was so disturbed, frightened and distressed that she contacted the police department to complain about Field's behavior.

28. Subsequently, Fields was placed on administrative leave with pay pending a departmental investigation conducted by the Tennessee Bureau of Investigation at the request of Police Chief Fred Fletcher. To the best of ██████████ knowledge Fields continues to be on administrative leave at the time of the filing of this complaint.

29. While Fields continues to receive pay, ██████████ is suffering from severe emotional distress and physical limitations from the assault and from Fields' unlawful sexual harassment that prevents her from being able to work. Previously, ██████████ had been regularly employed as an assistant at a facility for geriatric patients. She has also worked for the emergency room at Erlanger Hospital as an aide. Currently ██████████ has no means of income, continues to suffer physical and mental pain and suffering, cannot work and has applied for victim's assistance but has not received any benefits from the victim's assistance fund. Her mental, physical and financial conditions continue to deteriorate.

30. ██████████ continues to suffer extreme anxiety and exhibits hypervigilance. Fields' conduct preyed on ██████████ vulnerabilities after the rape and he used his position to manipulate ██████████ and to take advantage of her in attempts to get her to acquiesce to his requests.

31. [REDACTED] suffers from nightmares every night and also suffers from episodes of insomnia.

32. [REDACTED] is depressed and seeking help from mental health professionals.

33. Prior to Field's harassment, he has been known to engage in unprofessional conduct violative of the legal and constitutional rights of citizens of Chattanooga. In 2006 he wrecked his personal car and lied to the investigators saying that he had been carjacked. Ultimately, he admitted that he had been drinking and plead guilty to Driving Under the Influence. He was suspended for 14 days without pay.

34. In 2012, Fields' veracity became an issue when a defense attorney questioned Field's police work during a murder trial after audio recordings of interviews were lost somewhere between Fields and the evidence collection officer. Fields claimed to have turned the recordings in, but the collection officer said he never got them.

35. In 2013, an attorney for a defendant charged with murder accused Fields of coaching a witness to lie about what she saw. The attorney claims that Fields showed the witness a photo line-up and when she failed to identify the defendant as the suspect, he showed her another set of photos that were all of pictures of the defendant.

36. In 2014, a defense attorney for a man charged with attempted murder says Fields and other investigators failed to test all of the guns found at the crime scene for fingerprints and ballistics.

37. As a result of these events, the City of Chattanooga Police Department knew or should have known that Fields had a propensity for behavior on the job that was negligent, reckless, and /or malicious in nature, and that violated the constitutional rights of defendants he

investigated. The City of Chattanooga Police Department failed to take appropriate action to correct these violations, was on notice of the dangerous propensities of Fields thereby making The Chattanooga Police Department and City of Chattanooga liable to [REDACTED] for negligence and negligent supervision which has caused her great emotional distress.

38. The City of Chattanooga Police Department knew or should have known that Fields used his position as a rape investigator to prey on vulnerable women for sexual favors.

39. [REDACTED] asserts that jurisdiction and venue are appropriate with this Court.

**Count I – Section 1983 (Equal Protection), Negligence,  
Negligent Training, Intentional and Negligent Infliction of Emotional Distress**

40. All facts recited above are specifically incorporated herein as though specifically alleged in this Count of the Complaint.

41. Pursuant to 42 U.S.C. Section 1983, Karl Fields did, under color of state law in his position as a detective for the police department of the City of Chattanooga, deprive [REDACTED] of her constitutional right to be free of sexual harassment pursuant to the rights granted under the Equal Protection Clause as set forth in the Fourteenth Amendment to the Constitution of the United States, by stalking her and sending lewd texts, forcibly pinning her against the wall of a men's restroom and kissing her, and attempting to sexually seduce her and using his position of authority and control to deprive her of her rights as described herein.

42. The City of Chattanooga and the Police Department pursued a custom of permitting officers, in this case Fields, to remain employed after they have committed numerous acts in violation of the constitutional rights of the citizens of the City of Chattanooga.



43. The City of Chattanooga has pursued a custom of negligent or reckless failure to train officers, in this case Fields, in the appropriate manner for working with victims of rape and otherwise respect the constitutional rights of the citizens of this city.

44. The City of Chattanooga's negligent or reckless retention and negligent or reckless failure to train Fields is the proximate cause of [REDACTED] severe emotional and mental suffering which was seriously exacerbated by Field's disgusting, unwanted and unprofessional sexual and tortious behavior toward her.

45. The actions of Fields occurred while he was on the job as a detective of the Police Department of the City of Chattanooga and was conducted with the use of Chattanooga Police Department property and under the control and supervision of the Chattanooga Police Department.

**Count II – Section 1983 (Substantive Due Process), Negligence,  
Negligent Failure to Train, Negligent Failure to Supervise,  
Reckless Failure to Train and Reckless Failure to Supervise and Negligence**

46. All facts recited above are specifically incorporated herein as though specifically alleged in this Count of the Complaint.

47. Pursuant to 42 U.S.C. Section 1983, Karl Fields did, under color of state law in his position as a detective for the Police Department of the City of Chattanooga, deprive [REDACTED] of her constitutional right to substantive due process guaranteed to her by the Due Process Clause of the Fourteenth Amendment of the Constitution, by stalking her and sending lewd texts, forcibly pinning her against the wall of a men's restroom and kissing her, and attempting to sexually seduce her.

48. The City of Chattanooga and the Police Department pursued a custom of permitting officers, in this case Fields, to remain employed after they have committed numerous acts in violation of the constitutional rights of the citizens of the City of Chattanooga.

49. The City of Chattanooga has pursued a custom of negligent or reckless failure to train officers, in this case Fields, in the appropriate manner for working with victims of rape and otherwise respect the constitutional rights of the citizens of this city.

50. The City of Chattanooga's negligent or reckless retention and negligent or reckless failure to train Fields and other officers within its department is the proximate cause of [REDACTED] severe emotional and mental suffering which was seriously exacerbated by Field's disgusting, unwanted and unprofessional sexual and tortious behavior toward her.

51. The actions of Fields occurred while he was on the job as a detective of the Police Department of the City of Chattanooga and was conducted with the use of Chattanooga Police Department property and under the control and supervision of the Chattanooga Police Department.

52. [REDACTED] right to substantive due process includes her right to be free from arbitrary or wrongful government action, particularly action which encroaches on her bodily integrity.

53. Fields, by stalking her and sending lewd texts, forcibly pinning her against the wall of a men's restroom and kissing her, and attempting to sexually seduce her committed acts which shock the conscience and did so acting as an executive agent of the City of Chattanooga.

**Count III – Intentional Infliction of Emotional Distress**

54. All facts recited above are specifically incorporated herein as though specifically alleged in this Count of the Complaint.

55. Fields' behavior in sending lewd and suggestive texts, asking ██████████ to participate in a sexual act with him and another woman, stalking behavior and preying on ██████████ vulnerability as a recent victim of a criminal sexual assault, beatings and torture, while he was supposed to be protecting her and investigating the horrible acts perpetrated against her, was intentional or reckless.

56. Fields' behavior as set forth in paragraph 35 of this complaint was so outrageous that it is not to be tolerated by a civilized society.

57. As a result of his outrageous conduct, Fields is responsible for the exacerbation of ██████████ already fragile emotional state and has caused her severe mental distress and injury. The City of Chattanooga and the Chattanooga Police Department knew or should have known of the acts committed by Fields because he committed other acts in the past. Neither the City of Chattanooga nor the Chattanooga Police Department took the appropriate corrective action, including termination, regarding the past conduct of Fields. Moreover, in supervising Fields the City of Chattanooga Police Department is responsible for the acts of its agent while he is undertaking an investigation of this nature. Therefore, both the City of Chattanooga and the Chattanooga Police Department were aware, or should have been aware of his conduct and are, therefore, liable to ██████████ under a theory of intentional infliction of emotional distress. Moreover, as further evidence that the City of Chattanooga and the Chattanooga Police Department are liable for intentional infliction of emotional distress it is alleged that both knew

of past conduct of Fields and failed to take corrective action including termination of the officer. Fields was allowed to be investigator on sensitive cases such as this one and his intentional actions of inflicting emotional distress on others is imputable to the City because of its failure to take the appropriate corrective action once it knew of Fields propensity to commit acts such as those committed against Ms. Fields and others as alleged herein.

**Count IV – Negligent Infliction of Emotional Distress**

58. All facts recited above are specifically incorporated herein as though specifically alleged in this Count of the Complaint.

59. As a detective of the Police Department of the City of Chattanooga, Fields owed a duty to ██████████ the victim of violent crimes, to treat her with courtesy and respect and to refrain from attempting to prey on her vulnerability to obtain sexual favors.

60. Fields breached the duty he owed ██████████ when he subjected her to sexual harassment, including but not limited to lewd texts, requests for sexual favors, and stalking her.

61. Fields' behavior caused ██████████ to suffer an exacerbation of her already fragile emotional state, causing her severe mental distress for which she is receiving treatment from mental health professionals.

62. But for Fields' negligent behavior, ██████████ would not be suffering an exacerbation of her severe emotional distress. Field's negligent behavior is the proximate cause of ██████████ suffering.

63. Fields, as an employee of the Chattanooga Police Department, and as an investigator with the Department, acted at all times as an agent of the Chattanooga Police Department. Because of Fields past conduct as an investigator and officer with the Chattanooga

Police Department, the Police Department knew or should have known of Fields propensity to commit these type of acts. Consequently, the negligent infliction of emotional distress that Fields committed upon [REDACTED] is imputable to the Chattanooga Police Department and the City of Chattanooga.

64. The City of Chattanooga and the Chattanooga Police Department knew or should have known of the acts committed by Fields because he committed other acts in the past. Neither the City of Chattanooga nor the Chattanooga Police Department took the appropriate corrective action, including termination, regarding the past conduct of Fields. Moreover, in supervising Fields the City of Chattanooga Police Department is responsible for the acts of its agent while he is undertaking an investigation of this nature. Therefore, both the City of Chattanooga and the Chattanooga Police Department were aware should of been aware of his conduct and are, therefore, liable to [REDACTED] under a theory of negligent infliction of emotional distress.

**Count V – Negligent Training,  
Supervision and Retention of Fields  
by the City of Chattanooga Police Department**

65. All facts recited above are specifically incorporated herein as though specifically alleged in this Count of the Complaint.

66. The police department of the City of Chattanooga has a duty to protect and serve the citizens of the city.

67. The police department of the City of Chattanooga has a duty to train its officers to interact appropriately with the citizens of Chattanooga, whether they are victims or suspects of crimes.

68. The police department of the City of Chattanooga has a duty to train the officers to respect the constitutional rights of the citizens of Chattanooga.

69. The police department of the City of Chattanooga has a duty to supervise its officers to ensure that their conduct toward the citizens of Chattanooga is at all times lawful and respectful of their constitutional rights.

70. In a situation where the officer has a history of problem behavior, as does Fields, the police department of the City of Chattanooga has a heightened duty to provide appropriate supervision.

71. The police department has a duty to terminate officers who consistently and repeatedly violate the constitutional rights of the citizens of Chattanooga, such as Fields, so as to prevent the continued unlawful violations of the constitutional rights of the citizens of Chattanooga.

72. The City of Chattanooga has breached its duty to its citizens by failing to train its officers to respect the constitutional rights of the citizens of the city of Chattanooga and by failing to appropriately train its officers to refrain from unlawful sexual harassment.

73. The City of Chattanooga has breached its duty to its citizens by failing to supervise its officers in order to prevent continued infractions of the constitutional rights of its citizens.

74. The City of Chattanooga has breached its duty to the citizens by retaining officers who fail to meet the ordinary standard of care to protect and serve its citizens, thereby enabling said officers to continue to violate the constitutional rights of citizens of Chattanooga.

75. The City of Chattanooga was on notice that Fields was in breach of his duty to refrain from violating the constitutional rights of the citizens of Chattanooga, because, as alleged

above, he had committed numerous infractions that constituted unlawful violations of the constitutional rights of the citizens of Chattanooga.

76. The City of Chattanooga knew or should have known that Fields has a pattern of using the authority of his position as an investigator to prey on the vulnerabilities of sex crime victims so as to seduce them for his own sexual purpose.

77. Because the City of Chattanooga Police Department failed in its duty to train, supervise, and/ or terminate Fields for his numerous infractions, [REDACTED] suffered sexual harassment including repeated unwanted sexual invitations, requests for nude pictures, requests that she engage in "girl on girl" sex and allow him to watch, stalking her home, and other unlawful acts, which occurred in the course of his duties as a police officer and with the use of police department equipment.

78. Said sexual harassment caused [REDACTED] to suffer severe emotional distress for which she is being treated by a mental health professional and which has impaired her ability to work and support herself and her child.

79. The City of Chattanooga's negligent failure to train or terminate Fields is the cause of her severe emotional distress and inability to work.

80. But for the negligence of the City of Chattanooga police department, [REDACTED] would not be suffering the severe emotional damage resulting from Fields sexual harassment as well as his acts of negligence, intentional conduct, and other actions in his attempts to take advantage of [REDACTED] fragile state of mind and condition following her horrific rape. As such, Fields was negligent in the manner and method in which he investigated this case and both he and the City

of Chattanooga in the Chattanooga Police Department are responsible for damages arising therefrom.

**Count VI – Assault and Battery**

81. All facts recited above are specifically incorporated herein as though specifically alleged in this Count of the Complaint.

82. Fields intentionally grabbed ██████████ by the wrists, held them above her head and pushed her into the wall of the men's room at the El Meson restaurant on June 25, 2014, causing her fear that he would force unwanted bodily contact upon her person.

83. ██████████ reasonably believed she was in imminent danger of being touched or kissed against her will in an inappropriate manner by Fields, and in fact, Fields did begin kissing her with roughly and with brutal force, thereby committing assault and battery.

84. As a result of this unwanted assault and battery upon her person, ██████████ began to experience a terrifying panic attack.

85. On the same evening, Fields intentionally grabbed ██████████ at her home and forced himself upon her, fondling and rubbing her legs, body and breasts.

86. ██████████ found the unwanted groping repugnant.

87. Fields intentional inappropriate grabbing of ██████████ was such that a reasonable person would regard the contact as extremely offensive and provocative, thereby constituting assault and battery.

**WHEREFORE,** ██████████ prays that service against the defendants will issue, that this court will empanel a jury, and that the jury will hear her cause and find that Fields, Fletcher, The Chattanooga Police Department and the City of Chattanooga are liable to her for economic



damages, for pain and suffering, and for punitive damages based on the failure to train and /or terminate Fields, based upon the breach of its duties to its citizenry to insure that the acts described herein are prevented, based upon negligent and intentional infliction of emotional distress upon [REDACTED], based on the failing to take appropriate actions to discipline its officers for inappropriate conduct, based on the negligence in failing to train its officers, and based on the failure to investigate wrongdoings of its officers, based on the negligent acts of the City and Fields as well as the other allegations contained herein. for all costs and attorney's fees and for all other relief and damages to which she may be entitled including but not limited to damages for emotional and physical harm.

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