

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE, AT
CHATTANOOGA**

CAMEKA BRUCE)	
)	
PLAINTIFF,)	
)	CASE NO.:
)	
v.)	JURY DEMAND
)	
)	
THE CITY OF CHATTANOOGA,)	
THE CHATTANOOGA POLICE DEPT)	
CAPTAIN PEDRO BACON,)	
LT. JONATHAN BRYANT,)	
SERGEANT ADAM EMERY, AND)	
SERGEANT VICTOR MILLER,)	
DEFENDANTS.)	

COMPLAINT

Plaintiff, Cameka Bruce (Bruce) submits this Complaint under the Civil Rights Act of 1964, 42 U.S.C. § 1981, *et seq.* and pendant state law claims under the Tennessee Human Rights Act, *Tenn. Code Ann.*, § 4-21-311, *et seq.* against The City of Chattanooga and the Chattanooga Police Department for damages relating to and resulting from race discrimination, sex discrimination and the discriminatory terms and conditions of employment imposed by the defendants. In support thereof, the plaintiff alleges the following:

THE PARTIES

1. Plaintiff Bruce is a citizen and resident of Chattanooga, Hamilton County, Tennessee.

2. The City of Chattanooga a municipal corporation in the State of Tennessee at all times relevant to this Complaint was Plaintiff's employer by and through its division, the Chattanooga Police Department.
3. Defendant Chattanooga Police Department at all times relevant to this Complaint was Plaintiff's employer under the organization of the City of Chattanooga.
4. Defendant Lt. Jonathan Bryant was a Lieutenant in the City of Chattanooga Police Department and was in a supervisory capacity over the Plaintiff, Bruce.
5. Defendant Captain Pedro Bacon was the Captain in the City of Chattanooga Police Department and was in a supervisory capacity over the Plaintiff, Bruce.
6. Defendant Sergeant Adam Emery was a sergeant in the City of Chattanooga Police Department and was in a supervisory capacity over the Plaintiff, Bruce.
7. Defendant Sergeant Victor Miller was a sergeant in the City of Chattanooga Police Department and was in a supervisory capacity over the Plaintiff, Bruce.
8. At all times relevant hereto, Plaintiff was an employee of Defendants, City of Chattanooga and the Chattanooga Police Department for purposes of 42 U.S.C § 1981, *et seq.*, Title VII of the Civil Rights Act of 1964 and the Tennessee Human Rights Act, *Tenn. Code Ann.*, § 4-21-311, *et seq.* At all times relevant hereto, Defendant City of Chattanooga and the Chattanooga Police Department employed more than 20 individuals.

JURISDICTION AND VENUE

9. Plaintiff was wrongfully discriminated against and ultimately wrongfully discharged from her employment with Defendants based upon her race and sex in violation of 42 U.S.C. § 1981, *et seq.*, Title VII of the Civil Rights Act of 1964 and the Tennessee Human Rights Act, *Tenn. Code Ann.*, § 4-21-311, *et seq.* The Court has subject matter jurisdiction over the federal

question claims pursuant to 28 U.S.C. § 1331.

10. Pursuant to 28 U.S.C. § 1367, this Court has supplemental jurisdiction over the plaintiff's state law claims.
11. This Court has personal jurisdiction over the Defendants because the Defendants transact business in Chattanooga, Hamilton County, Tennessee.
12. Venue is proper in this Court because the events giving rise to the basis of this lawsuit occurred in Chattanooga, Hamilton County, Tennessee.
13. The causes of action of the Plaintiff arise out of the same or similar occurrences and will involve common questions of fact and law.

FACTUAL BACKGROUND

14. On or about November 6, 2017 during the weekly Unit Meeting, Lt. Jonathan Bryant directed the investigators, which included the Plaintiff, to be careful about incurring overtime so that overtime funds would be available when called to investigate matters beyond their normal work schedule. Immediately following the meeting, Plaintiff asked Sergeant Adam Emery for clarification of what Lt. Jonathan Bryant referenced regarding the overtime. Sergeant. Adam Emery advised Bruce to give him a few minutes and he would explain. A few minutes later, Sergeant Adam Emery asked Bruce to come around to his office. As Bruce followed Sergeant Emery into his office, Sergeant Victor Miller came into the office and shut the door behind him. Sergeant Adam Emery advised they "held off" submitting Plaintiff's overtime for the month of October 2017. Sergeant. Adam Emery explained Bruce worked one hundred (100)+ hours and another similarly situated investigator only worked thirteen (13) overtime hours. Sergeant Adam Emery asked if Bruce wanted to resubmit any of her overtime sheets. Plaintiff's response was "No." Bruce was then advised by Sergeant Adam Emery from that day forward, before doing any overtime, Bruce had to get approval from him or Sergeant. Victor Miller. On information and belief, no other officer was subjected to this oversight.

15. After the November 6 meeting, Bruce approached Chief McPherson and Captain Bacon in the hall outside of her office. Bruce inquired of both of them why her overtime was being withheld and why she was the only investigator who had to get approval from the Sergeants prior to working any overtime from this day forward. Chief McPherson ordered Captain Bacon to set up a meeting with Lt. Jonathan Bryant, Sergeant Victor Miller, and Sergeant Adam Emery.
16. On November 7, 2017 at approximately 0923 hours, Bruce sent a text message to Chief McPherson inquiring about the status of her overtime.
17. At approximately 0926 hours, Chief McPherson replied he would have Lt. Jonathan Bryant come and explain about her overtime pay.
18. At approximately 09:30 hours, Chief McPherson stopped by Bruce's office and reiterated what he said in the message. Chief McPherson also explained when he spoke with Lt. Jonathan Bryant and both Sergeants during their meeting, he asked them, "did they have an issue with the overtime Bruce submitted?" Chief McPherson stated each individually replied, "there were no issues with the overtime submitted", at which time, he ordered them to submit Bruce's overtime, no questions asked. Chief McPherson advised he was going into a meeting in the Major Crimes conference room about the towing of vehicles. He stated following the meeting, he would personally come back and make sure that Lt. Jonathan Bryant explained the details of his directive.
19. At approximately 1540 hours, Bruce had not heard anything from Chief McPherson or Lt. Jonathan Bryant.
20. Bruce was due to be paid overtime on the check dated for Thursday, November 9, 2017. Overtime is only paid once a month and was due on the upcoming check.
21. Bruce observed Lt. Jonathan Bryant in his office and asked if she could speak to him for a few minutes. He told Bruce to come in because he was going to come see her anyway. Lt. Jonathan Bryant explained the Sergeants had come to him the prior week regarding the number of hours Bruce submitted in the month of October. Bruce asked Lt. Jonathan Bryant, "if there was only an issue for the month of October why weren't all her hours submitted for the pay period of September 15, 2017 until October 12, 2017?" Lt.

Jonathan Bryant stated he had submitted all of her overtime sheets to Finance on October 26, 2017. Lt. Jonathan Bryant began to open each individual overtime sheet to show Bruce. Bruce observed errors on the overtime sheets. One sheet showed he hadn't signed at all and another showed he signed where the Sergeant was supposed to sign, and he signed them approximately 2 weeks after Bruce sent the last one for the pay period. Lt. Jonathan Bryant again stated all the September overtime sheets had been submitted to Finance. Bruce asked, if there was an issue with the number of hours she worked for the entire month of October why didn't someone come to her prior to Monday, Nov. 6, 2017? Lt. Jonathan Bryant said that was something he and Bruce needed to discuss with the Sergeants. Lt. Jonathan Bryant then stated, "don't you think maybe the Sergeants were trying to look out for you", since she worked a lot more hours than the next investigator especially with officers being audited for their submitted overtime. Bruce explained to Lt. Jonathan Bryant that she worked every hour she submitted. Bruce explained to Lt. Jonathan Bryant that she didn't understand how he had come up with his figures for the next investigator. He explained that Bruce worked 107 hours and the next Investigator only worked 13 hours of overtime which was Investigator Blackwell. Lt. Jonathan Bryant explained Investigator Blackwell was compensated for being a Field Training Officer (FTO) as an Investigator. He explained the overtime grid showed he was being paid a total of 106 hours but it was 93 hours for FTO and 13 hours for call outs. The Plaintiff believes that the supervisors were manipulating the overtime hours for Blackwell to make her overtime hours look excessive and subject to denial or disciplinary action.

22. Bruce explained, that in the Chattanooga Police Department's policy on Field Training Officers, it is not stated anywhere within the policy where an investigator can be compensated as a FTO. No other investigative unit receives compensation for FTO.
23. For the pay period of September 15, 2017 through October 12, 2017, Bruce was supposed to be paid 74.30 hours of overtime but was only being paid 16 hours of straight time. During this pay period for the month of September Bruce worked 36 hours of overtime.
24. From October 1, 2017 through October 12, 2017, Bruce worked 38 hours of overtime hours.
25. From October 13, 2017 through October 31, 2017, Bruce worked 68.30 in overtime.

26. Bruce explained it was not a total of 107 hours of overtime in a single pay period. Bruce explained to Lt. Jonathan Bryant it seemed as if the integrity of the number of hours she worked and submitted were being questioned. Lt. Jonathan Bryant stated Bruce would be paid all her overtime submitted and owed for the months of September and October. He also explained it wouldn't be resolved within two days.
27. During this meeting on November 7, 2017, Lt. Jonathan Bryant began insinuating that the Plaintiff had other issues brought to his attention by the Sergeants in the unit. These issues were never detailed or provided for Bruce's attention. Plaintiff felt intimidated and fearful that her supervisors were attempting to find discrediting conduct that would justify further discipline.
28. At approximately 1540 hours, Bruce sent Lt. Jonathan Bryant a text message and asked what time they were meeting the following day. Lt. Jonathan Bryant he replied he would let Bruce know.
29. On Wednesday November 8, 2017 at approximately 0827. hours, Bruce received an email from Sergeant. Adam Emery with approval of her submitted time and submittal of her overtime sheets to Lt. Jonathan Bryant dated from 10/16/2017 through 10/19/2017.
30. At approximately 0833 hours, Bruce received an email from Sergeant Adam Emery with approval and submittal of her overtime sheets to Lt. Jonathan Bryant dated from 10/23/2017 through 10/29/2017.
31. At approximately 0839 hours, Bruce received an email from Sergeant. Adam Emery with approval and submittal of her overtime sheets to Lt. Jonathan Bryant dated from 10/02/2017 through 10/17/2017.
32. On November 8, 2017, Bruce was speaking to a homicide victim's sister over the phone getting updated information to follow-up on, when Sergeant Adam Emery walked into her office and observed her on the phone. There was also an intern in her office, at which time she motioned she was going to leave. Sergeant. Adam Emery rudely began demanding Bruce bring her case notes for the Homicide of Deonte James and Aggravated Assault of Tonya Melvin to his office, all while she was still on the phone attempting to console a grieving sister. Sergeant. Adam Emery stood in her doorway as she continued with the phone call for 20-25 minutes afterwards. After the phone call ended, Sergeant. Adam Emery stood in her office while she gathered her notes. Bruce asked if she needed to bring her laptop due to having notes regarding the two cases stored on it. Sergeant. Adam Emery stated she didn't need to bring it. Bruce

followed Sergeant Adam Emery to his office, Sergeant Victor Miller joined them. Sergeant Adam Emery explained they needed to see Bruce's notes from the cases they requested to show where she accumulated 100+ hours of overtime for the month of October. Bruce requested for Lt. Jonathan Bryant to be in attendance because he said they would all meet today. Sergeant Adam Emery advised that Lt. Jonathan Bryant was at a doctor's appointment and would not be in attendance. Sergeant Adam Emery demanded Bruce produce her case notes. Bruce advised them she had spoken with Lt. Jonathan Bryant on the prior day and he said they were all going to meet and she requested they wait on him.

33. Sergeant Adam Emery wanted Bruce to go into the details of the meeting with Lt. Jonathan Bryant. Bruce explained she wanted to wait until Lt. Jonathan Bryant was in attendance.

34. Sergeant Adam Emery no longer spoke about overtime and began bringing up accusations unrelated to the called meeting. These matters and accusations were never before brought to Bruce's attention by Sgt. Emery or Sgt. Victor Miller. Sgt. Adam Emery's behavior became threatening and hostile and directed Plaintiff, Bruce not to go anywhere. Emery then stated she could leave only if she left her notes with them. Bruce advised Sergeant Adam Emery she didn't have a problem with going over her case notes when Lt. Jonathan Bryant was present. Emery that stated Bruce was refusing a direct order. Emery then demanded she leave her case notes in Lt. Jonathan Bryant's office. Bruce requested for Lt. Jonathan Bryant to be present. Bruce got up to leave Sergeant Adam Emery's office and from behind Sergeant Adam Emery yelled, "You're going home." Bruce continued to walk in the direction of her office while Sergeant Victor Miller and Sergeant Adam Emery followed behind her continuing to issue directives and threats.

35. Bruce approached the hallway outside of her office and Sergeant Adam Emery demanded she give him her case notes. Bruce advised him she had no problem but wished for Lt. Jonathan Bryant to be present. At that time, Sergeant Adam Emery came at her in a provoked and unprofessional manner, yelling within inches of her face, pointed in the direction of her office and yelled, "GET IN YOUR OFFICE." Bruce explained to him she was not a child but a grown woman. Bruce felt threatened, belittled and humiliated. Again, he yelled for her to get in her office. Bruce advised him she was going to stand outside her office against the wall silently. He stated she was causing a scene and refusing a direct order by not going into

her office. Sergeant Adam Emery stormed away but Sergeant Victor Miller stood there guarding Bruce.

Bruce was in fear of her personal; safety and well being. She eventually went into her office, shut the door behind her and attempted to make personal calls to her husband and co-worker, Sergeant Turner.

36. Sergeant Victor Miller opened her door and stood in the doorway in a threatening and intimidating manner as she made calls to protect her safety and well being. Bruce was humiliated and crying as she attempted to speak to her husband.

37. Sergeant Victor Miller continuously interrupted and interjected comments regarding her phone conversation. Bruce told the caller she couldn't speak candidly due to Sergeant Victor Miller's invasion of her personal privacy standing in her doorway listening to her phone calls. Sergeant Adam Emery returned as Bruce was hanging up the phone. He again, demanded she turn over her case notes to him. Sergeant Adam Emery began rummaging through Bruce's desk and threatened that he was going to take the notes. Bruce asked Sergeant Adam Emery not to continue being disrespectful and not to remove anything from her desk. When Lt. Jonathan Bryant finally arrived Bruce again explained she would be more than willing to provide notes to him. Sergeant Adam Emery ordered and threatened, "GET OUT OF THIS OFFICE AND SIT ON THE METAL BENCH IN THE HALLWAY." Plaintiff was being ordered to sit where prisoners are customarily held in custody. Again she was being threatened and intimidated by her supervisors.

38. Bruce eventually attempted to secure her personal belongings from Sergeant Adam Emery's hostile, invasive and intimidating behavior while he and Sergeant Victor Miller stood in her doorway. Sergeant Adam Emery stated, "So, you're not going to follow a direct order and get out of the office?" Bruce explained she was trying to gather her personal belongings. Sergeant Adam Emery stated, "I'm being really patient with you." As Bruce walked out of the office, he shut her office door and ordered her not to return back into the office.

39. Sergeant Adam Emery ordered Bruce was not talk to the other investigators in the unit and not to contact anyone in her chain of command. Bruce asked both Sergeants how was she going to perform her work duties with her files in her office? Sergeant Adam Emery said, you can't return to the office unless you

give me your case notes.” Bruce was told if she didn’t sit in the hall, she could sit in the conference room. By that time, it was lunch time and the conference room was where most investigators and other co-workers in the unit gathered for lunch. Based on the Sergeant’s Orders Bruce was prohibited from talking to anyone in the room. Bruce was guarded by Sergeant Adam Emery and Sergeant Victor Miller in the hallway during this time. Again she was humiliated, intimidated and subject to their discriminatory and vile behavior.

40. Bruce felt like a prisoner sitting next to the bench where she had placed criminals numerous times. She felt shamed as she sat in the hallway being guarded. Bruce asked Sergeant Victor Miller if she could go to the bathroom which he granted. As Bruce stood in the bathroom, Investigator Hamilton called her cell phone but she explained she was ordered not to speak to him and hung up. Bruce returned to her assigned area in the hallway, Investigator Walker passed through with concern. Bruce advised him, she was ordered not to speak to him. At this time she is still being guarded and restrained by Sergeant Victor Miller and Sergeant Adam Emery.
41. As Bruce continued to be confined in the hallway by the prisoner’s bench, co-workers began to pass by to offer consolation and assistance. Bruce asked Zack Wiley to contact her husband since she wasn’t given any privacy to do so. Bruce asked Sergeant Thompson and Sergeant Hubbard to try and make contact with Sergeant Turner on her behalf.
42. Captain Halbert observed Bruce sitting in the hall and asked if she had contacted her Union Representative. Bruce was put in contact with Sergeant O’Brien, the President of Fraternal Order of Police.
43. At approximately 1058 hours., Bruce received a text message from Lt. Jonathan Bryant stating they would be meeting at 1330 hours
44. A co-worker, Officer A. Yeargan, passed through and witnessed Bruce sitting in the hallway Officer Yeargan grabbed a seat and sat with Bruce. She consoled Bruce while she was still being confined by Sergeant Victor Miller standing behind them in the doorway of Investigator Hamilton’s office.
45. Sergeant Turner and Sergeant O’Brien arrived a short time later and conferenced in Investigator Hamilton’s office since Bruce was ordered not to return to her office.

46. A few minutes before 1300 hours, Lt. Jonathan Bryant called Bruce's cell phone to say they were meeting in Captain Bacon's office.

In attendance for the meeting held in Captain Bacon's office were:

Captain Bacon

Lt. Jonathan Bryant

Sergeant Adam Emery

Sergeant Victor Miller

Sergeant Turner

Sergeant O'Brien

Cameka Bruce

47. During the meeting, Lt. Jonathan Bryant advised that he had not submitted her overtime sheets to the Finance Department because of the number of hours Bruce submitted for the month of October compared to the numbers submitted by other investigators. Lt. Jonathan Bryant stated investigators had always been told to get approval by a Sergeant prior working any overtime. Both Sergeant Victor Miller and Sergeant Adam Emery agreed. Captain Bacon stated Bruce was untruthful when she explained a few days prior that she was the only investigator required to seek approval prior to working overtime.
48. Captain Bacon played an audio recording from the meeting between Sergeant Adam Emery, Sergeant Victor Miller, and Bruce earlier in the morning. Bruce was never informed the meeting was being recorded, which was a Chattanooga Police Department policy violation.
49. Bruce advised Captain Bacon that not only was her overtime pay for October being withheld but she had not been compensated for the month of September for the pay period of September 15th through September 30th. Again, Lt. Jonathan Bryant stated he had signed, approved, and turned in all her overtime for the month of September. Captain Bacon ordered Lt. Jonathan Bryant to get her overtime for the month of September straightened out with Finance immediately so she could be paid.

50. Bruce explained how she was allowed to continue working overtime throughout the month of October and no issue was brought to her attention until November 6th. Nobody explained the reasoning behind waiting so long to question Bruce's overtime.
51. Bruce, Captain Bacon, and Lt. Jonathan Bryant went over some of the overtime sheets for the month of October. Captain Bacon was under the impression Bruce only received overtime for two cases. Bruce explained she had been assigned new cases where she incurred overtime. Captain Bacon stated he was not aware of any new cases assigned to the Plaintiff. Captain Bacon stated Bruce came to the meeting unprepared without any notes. Captain Bacon was not informed by Lt. Jonathan Bryant, Sergeant Victor Miller or Sergeant Adam Emery that they had ordered Bruce out of her office and had no access to her case files.
52. Bruce explained the inappropriate and humiliating behavior of Sergeant Victor Miller and Sergeant Adam Emery earlier in the day. Neither Lt. Jonathan Bryant or Captain Bacon addressed Bruce's concerns and the unprofessional and demeaning actions of the Sergeants. Instead, Captain Bacon stated he wanted Bruce out of the unit the following week due to the toxic environment. Sergeant Turner explained Bruce was not requesting to leave the unit. Captain Bacon asked Bruce if she wished to leave? Captain Bacon ordered for Bruce to meet on Monday regarding the submission of her overtime for the month October except for the dates where she was assigned new cases. He also demanded a decision pertaining to Plaintiff's transfer out of the unit by Monday. Sergeant O'Brien asked if there would be any Disciplinary Actions brought against Bruce. Captain Bacon stated there wouldn't be any Disciplinary Actions taken.
53. Sergeant Victor Miller left during the meeting. As everyone was leaving Captain Bacon's office, Sergeant Victor Miller came up the hallway towards Bruce's direction with the two case files in his possession. Sergeant Victor Miller had entered Bruce's office and retrieved the files without the consent of the Plaintiff. Bruce asked if she could receive the files to continue working the cases with time sensitive information? Captain Bacon ordered the files be locked up inside Yolanda Massey's office, and retrieved the files the secretary for the Violent Crimes Unit, until the meeting on the following week. Bruce was

ordered not to work on the two cases until after the meeting. Captain Bacon stated the decision regarding the overtime would be decided by him.

54. On Friday November 10, 2017, Bruce submitted a transfer request to return to Neighborhood Policing Bureau.
55. On Monday, November 13, 2017, the weekly Unit meeting was cancelled due to the Overtime Submission Meeting. Present for the meeting: Sergeant O'Brien, Yolanda Massey, Sergeant Victor Miller, Sergeant Adam Emery, Cameka Bruce and Lt. Jonathan Bryant arrived later during the meeting.
56. Captain Bacon's instructions were to go over the overtime submitted for the month of October but didn't have to discuss the dates Bruce received new cases. Sergeant Victor Miller and Sergeant Adam Emery disregarded Captain Bacon's instructions and continued in their demeaning, threatening and discriminatory manner. A spreadsheet had been created by Sergeant Victor Miller requiring Bruce to discuss the overtime dating back to early September for which she had already been compensated. They only discussed overtime for the two cases for the months of September and October. Lt. Jonathan Bryant entered the conference room and asked if they had gone over all the overtime sheets submitted for the month of October as instructed by Captain Bacon. Sergeant Victor Miller and Sergeant Adam Emery disregarded the instructions from Captain Bacon and required Bruce to retrieve the files for October and also September. They only discussed the two cases. Lt. Jonathan Bryant told Sergeant Victor Miller and Sergeant Adam Emery to go over each case and overtime sheet for the month of October as instructed. Their insubordinate requirements were designed to further intimidate, discriminate and undermine the employment of the Plaintiff.
57. Bruce explained the details of her overtime hours. Bruce was questioned on what she did during the work day. Comments were made that enough work wasn't done for amount of overtime submitted. A few minutes prior to the meeting ended, Lt. Jonathan Bryant asked if Bruce wanted to take a break or get a drink. Bruce was impaired by a migraine headache during the inquisition. No other investigators in the unit have ever been interrogated and degraded in the manner Bruce was. This treatment was discriminatory to her as a female and as a minority, contrary to law. As the meeting ended, Bruce asked Sergeant Victor

Miller what would be the next step. Sergeant Victor Miller stated they would submit everything to Captain Bacon for a decision.

58. On Thursday, November 16, 2017, Bruce met with Nancy Powell in the Finance Department, to get a copy of all her overtime sheets that had been submitted by both Sergeants and Lt. Jonathan Bryant for the last two months. For the pay period of September 15, 2017 through October 12, 2017, there were only two timesheets submitted, September 26th and September 27th. The timesheets were not approved by Lt. Jonathan Bryant until October 26, 2017.

59. Lt. Jonathan Bryant advised during our meeting and during the meeting with Captain Bacon he had submitted all Bruce's overtime sheets to the Finance Department. She was only paid extra time of 16 straight time for the pay period and not paid as required for overtime hours.

60. On Monday, November 20, 2017 At approximately 0820 hours, Bruce sent an email to Sergeant Victor Miller and Sergeant Adam Emery requesting an update on the status of being paid her overtime and a copy of the spreadsheet created during the Overtime Submission Meeting.

61. At approximately 0925 hours, Sergeant Victor Miller responded to the email stating they would meet to verify all Bruce's submitted overtime for the months of September and October and make sure the overtime was received by Finance. Sergeant Victor Miller brought the spreadsheet to Bruce's office. At that time, Sergeant Victor Miller stated he could meet with Bruce regarding the submittal of her overtime for September and October. Bruce and Sergeant Victor Miller went through each overtime sheet for the pay period of September 15th through October 12th and October 13th through October 31st. Sergeant Victor Miller stated he was having issues pulling up the overtime sheets for 09/18/2017, 09/20/2017, and 10/28/2017B. Sergeant Victor Miller couldn't open three submissions from the month of September. Bruce was asked to resubmit those three other timesheets. All three overtime sheets were resubmitted.

62. At approximately 1512 hours, Lt. Jonathan Bryant called in response to Bruce's email. Lt. Jonathan Bryant stated he had already submitted all of her overtime to the Finance Department. Lt. Jonathan Bryant explained Bruce's overtime for October was still under review. He advised her transfer request had been granted and she would be transferring to patrol on December 1, 2017. He stated there were case files

needing to be updated and asked if she wished to stay in the Unit past her transfer date. She advised Lt. Jonathan Bryant she didn't need any extended time in the Unit. No other investigators had been required to update case files prior to leaving or transferring from their Unit.

63. On Monday November 27, 2017, during the weekly unit meeting, Sergeant Victor Miller advised if any investigator did any overtime following up on cases, a supervisors' approval was required. Lt. Jonathan Bryant stated they were only restating what they had advised in the past. This was the first time this had ever been mentioned in any meeting as a Unit. Plaintiff believes that the supervisors were attempting to cover up and/or justify the discriminatory practices directed at the Plaintiff.
64. On Wednesday, November 29, 2017, During Bruce's bi-weekly Hostage Negotiation training, Bruce was advised by Investigator Fugh that Sergeant Trussell and Hewitt from Internal Affairs were outside wishing to speak with her. Sergeant Trussell stated a blue team report was done on her and submitted to their office. There was an open investigation for Insubordination and Excessive Overtime. Sergeant Trussell stated he needed her case files on the two case where she had recently received overtime. Bruce advised Sergeant Trussell that she worked more than two recent cases where she received overtime. Sergeant Trussell explained he wasn't aware of that and then asked about the two cases discussed during an overtime meeting. Sergeant Trussell stated he needed to retrieve those two files for his investigation. Bruce advised Sergeant Trussell the two files were at her residence, due to the fact, she only had one more day in the unit before transferring to Patrol. Hewitt and Sergeant Trussell both replied they were not aware she was leaving the Unit. She explained to them that she requested to be transferred under coercion a couple of weeks prior and was trying to update her case files. Bruce explained to them she was working on the case files on her own personal time without being paid overtime. She was asked to go to her residence, retrieve the files, and bring them to the Internal Affairs office within the next hour.
65. Bruce arrived at the Internal Affairs office with the requested hard copy case files. The case files were turned over to Sergeant Trussell. Bruce was advised that Sergeant Adam Emery completed the blue team report to launch the investigation. Sergeant Trussell advised Bruce's chain-of-command signed off on the report before it reached their office.

66. Bruce had become ill due to the overwhelming stress from all that had gone on and her husband had to take her to Memorial Hospital's Northpark emergency room. The doctor reported she was suffering from a migraine and high blood pressure. Bruce went to the emergency room due to all the stress she had sustained over the last couple of week from the wrongful treatment, intimidation and discrimination.
67. In November of 2017, Bruce was wrongfully demoted and transferred to the Neighborhood Policing Bureau Department.
68. In January 2018, Bruce went to the City of Chattanooga Human Resources to file a complaint against the Police Department due to the wrongful and discriminatory treatment she has endured. Shortly after filing the complaint Bruce received an email from Deputy Chief Eric Tucker stating that a complaint could not be filed against the Police Department until the Chattanooga Police Department had finished their investigation. The complaint filed with Human Resources was ignored and stifled.
69. On October 17, 2018 there was a disciplinary Hearing in which Chief Roddy determined that Bruce's actions of insubordination were substantiated and the overtime hours worked in October of 2017 were unsubstantiated. The "good ole boy" network was diligently working to undermine the employment of the Plaintiff.
70. On October 26, 2018 Chief Roddy issued a letter and Last Chance Agreement which Bruce. Bruce was advised by counsel to write, "I was signing subject to my right to appeal" upon acknowledging receipt of the notice.
71. On October 29, 20218, Assistant Chief Glenn Scruggs came to Bruce's residence hand delivered a letter informing her of a demotion effective immediately due to her not signing the letter from Chief Roddy. Bruce asked to consult with her attorney and employee representative prior to signing. Chief Scruggs attempted to pressure her into signing the letter of demotion without the ability to seek counsel.
72. On November 7, 2018 Bruce was notified by email of new allegations of Insubordination and Untruthfulness.
73. On November 20, 2018 mediation was conducted about the new allegations of insubordination and untruthfulness and the overtime pay Bruce did not receive. Mediation was unsuccessful.

74. On November 28, 2018 Bruce filed an appeal to be heard before an Administrative Law Judge.
75. On December 11, 2018 at approximately, 1700 hours, Internal Affairs contacted Bruce's husband, Chris Bruce, where he was ordered to report to Internal Affairs due to being a witness to a case (they did not specify what case). When Plaintiff's husband arrived at Internal Affairs, he was questioned regarding Bruce's Insubordination allegation. They attempted to get Plaintiff's husband to say he witnessed Bruce refuse to sign a document when Assistant Chief Scruggs came to their home. They would not tell him what the investigation was about only that he was a witness in a case. They knew he would have to report and answer any questions or he would automatically be terminated for refusing to cooperate in an investigation.
76. Bruce was the only black and the only female in the homicide department when her overtime was taken into question. No one's overtime had ever been questioned and approval had never been needed prior to the issues set forth herein. The actions of the Department constitute wrongful conduct and discrimination based on the Plaintiffs race and sex.
77. When Bruce began to question why she was being treated differently from anyone else in the Homicide department, she was attacked with threats of termination and eventually was suspended. False Accusations were made about her and her work ethic and threatened her husband to either speak against Bruce or lose his job.

COUNT I – VIOLATION OF 42 U.S.C. § 1981

78. Plaintiff incorporates the allegations of paragraphs 14-76 as if set forth herein.
79. Defendants have discriminated against Plaintiff by denying them the same rights as enjoyed by white employees with regard to the making, performance and modification of Plaintiff's employment relationships with Defendants and with regard to the enjoyment of all benefits, privileges, terms and conditions of that relationship.
80. Accordingly, the Defendants have violated the provisions of 42 U.S.C. § 1981 by racially

discriminating against the Plaintiffs.

81. Defendants' conduct has been intentional, willful, deliberate and conducted in callous disregard of the rights of the Plaintiff under the law.
82. As a result of Defendants' conduct, Plaintiff has suffered damages, and Defendants are liable to Plaintiffs in an amount to be determined by a jury.
83. As a result of their malicious and willful conduct, Defendants are liable for punitive damages under the law.

COUNT II – VIOLATION OF THE CIVIL RIGHTS ACT OF 1964

84. Plaintiff incorporates the allegations of paragraph 14-76 as set forth herein.
85. Accordingly, the Defendants have violated the provisions of The Civil Rights Act of 1866 by discriminating against the Plaintiff based on her sex.
86. Defendants' conduct has been intentional, willful, deliberate and conducted in callous disregard of the rights of the Plaintiff under the law.
87. As a result of Defendants' conduct, Plaintiff has suffered damages, and Defendants are liable to Plaintiffs for such damages in an amount to be determined by a jury.
88. As a result of their malicious and willful conduct, Defendants are liable for compensatory and punitive damages under the law.

COUNT III – VIOLATION OF TENNESSEE HUMAN RIGHTS ACT

89. Plaintiffs incorporate the allegations of paragraphs 14-76 as if set forth herein.
90. By the conduct set forth above, Defendants have violated the provisions of the Tennessee Human Rights Act, *Tenn. Code Ann.* § 4-21-101, *et seq.* by racially discriminating against the Plaintiff.
91. Defendants' conduct has been intentional, willful, deliberate and conducted in callous

disregard of the rights of the Plaintiffs under the law.

92. As a result of Defendants' conduct, Plaintiff has suffered damages, and Defendants are liable to Plaintiff in an amount to be determined by a jury.

93. As a result of their malicious and willful conduct, Defendants are liable for punitive damages under the law.

COUNT IV – HOSTILE WORK ENVIRONMENT

94. Plaintiff incorporates the allegations in paragraphs 14-76 as if set forth herein.

95. Throughout their employment at Defendants, Plaintiff was subject to a hostile work environment because of her race and sex.

96. As outline above, Plaintiff's Captain and subjected her to pervasive and chronic racial harassment and undermining comments because of and related to her race and sex which were verbally abusive and disrespectful.

97. The harassment and humiliation were highly offensive and continued for a good length of the Plaintiff's employment.

98. The workplace at the Chattanooga Police Department was permeated with discriminatory conduct so severe and pervasive to alter the conditions of Plaintiffs' employment and created an abusive working environment.

99. The harassment by Plaintiff's co-workers, Sergeant Adam Emery and Sergeant Victor Miller had the effect of unreasonably interfering with Plaintiffs' work performance and creating an objectively and subjectively intimidating, hostile, and offensive work environment.

100. Defendants knew or should have known about the harassing conduct, but failed to take any corrective or preventative actions. The City of Chattanooga and The Chattanooga Police Department are vicariously liable for the acts of the Captain, and Sergeants in creating the hostile work environment affecting the Plaintiff's rights under the law.

101. As the result of Defendants' actions, Plaintiff has suffered damages, and Defendants are liable to Plaintiffs in an amount to be determined by a jury.

102. As a result of their malicious and willful conduct, Defendants are liable for punitive damages under the law.

DAMAGES

103. As a result of the wrongful actions of Defendants, Plaintiff has suffered damages both emotionally and financially. In particular, Plaintiff has suffered compensatory and pecuniary damages and have lost and will continue to lose salary, opportunities and advancement and various employee benefits, which she would have earned if she had not been subjected to this discriminatory conduct and ultimately wrongfully terminated. In addition to the actual and pecuniary loss Plaintiff has sustained, and continues to suffer from mental and emotional anguish resulting from the wrongful and illegal conduct she experienced because of Defendants' actions. Bruce has been completely excluded and banned from any from any form of law enforcement agency in Chattanooga, Tennessee. She has been unemployed since January 31, 2019. In addition, Plaintiff sought and continues to seek medical care and treatment as a result of the actions of the Defendants.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that:

1. That the Defendants be served and required to answer in the time prescribed by law.
2. The Court award compensatory damages including but not limited to medical expenses resulting from the wrongful conduct, back pay, front pay, and lost benefits in an amount to be determined by a jury.
3. The Plaintiff be awarded damages for the mental and emotional injuries sustained by the Plaintiff as a result of the Defendants' willful and wrongful conduct in

an amount of at least \$10.00.

4. The Court award punitive damages in an amount deemed appropriate by the jury.
5. Defendants be responsible for all costs in this action, including discretionary costs, attorneys' fees, and pre- and post-judgment interest;
6. That Plaintiffs be provided such other and further relief to which they may be entitled.
7. For a jury of six (6) to try this cause.

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