

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

☒ FEPA☒ EEOC**New York State Division of Human Rights**

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Mr. Jermack Romero

Home Phone (Incl. Area Code)

Date of Birth

Street Address

City, State and ZIP Code

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

The City of New York

No. Employees, Members

500+

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

Click here to enter text.

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE☐ COLOR☒ SEX☐ RELIGION☐ NATIONAL ORIGIN☐ RETALIATION☐ AGE☐ DISABILITY☐ GENETIC INFORMATION☐ OTHER (Specify)**HOSTILE WORK ENVIRONMENT**

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

10/01/2021**10/19/2023**

CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

Charging Party self-identifies as a Hispanic male.

Charging Party is a former employee of the Police Department City of New York, employed as a Police Officer

Charging Party alleges Police Officers are police officers as defined under the New York State Criminal Procedure Law and authorized to make warrantless arrests, issue summonses, conduct vehicle stops, carry and use firearms, batons, pepper spray, handcuffs, and use physical and deadly force.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

10/31/2023

Date

Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

NYS REG No: 025A0013820**EXP. 09.26.2027**

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)

31st DAY OF OCTOBER 2023

BACKGROUND

THE DOMESTIC INCIDENT INVESTIGATION

Charging Party JERMACK ROMERO alleges that on or about September 30, 2021, he was falsely accused by alleged victim D.R. of Assault in the Third Degree and related criminal charges.

Charging Party JERMACK ROMERO alleges that alleged victim D.R. walked into the 50th Precinct and claimed that she and CP had dinner with Hennessey cocktails. After returning to his apartment, the parties had an argument regarding the status of the relationship when CP asked her to leave. She refused.

Charging Party JERMACK ROMERO alleges that he threw her personal belongings out of the apartment, then used physical force to push her out.

Charging Party JERMACK ROMERO alleges that during the struggle, D.R. sustained minor abrasions to her neck and pain in her right arm. CP sustained minor abrasions to his face including a lip injury.

Charging Party JERMACK ROMERO alleges that D.R. claimed that she didn't want CP arrested.

Charging Party JERMACK ROMERO alleges that Duty Captain Edward Cruz ordered him to report to the 50th Precinct, where he was arrested for the crime of Assault in the Third Degree and immediately suspended for thirty [30] days.

Charging Party JERMACK ROMERO alleges that on or about October 1, 2021, he was arraigned accused of committing the crimes of Assault in the Third Degree, Criminal Mischief in the Fourth Degree and Harassment in the Second Degree in the People State of New York v. Jermack Romero Docket No.: CR-0148789-21BX, Criminal Court of Bronx County.

Charging Party JERMACK ROMERO alleges that on or about October 6, 2021, the department drafted parallel Charges and Specifications:

1. Said Police Officer Jermack Romero, while off-duty and assigned to the 44 Precinct, on or about September 30, 2021, engaged in conduct prejudicial to the good order, efficiency, or discipline of the Department, to wit: said Police Officer Romero engaged in a verbal and physical altercation with an individual known to the Department, causing injury to said person.

A.G. 304-06, Page 1, Paragraph 1 PROHIBITED CONDUCT

2. Said Police Officer Jermack Romero, while off-duty and assigned to the 44 Precinct, on or about September 30, 2021, engaged in conduct prejudicial to the good order, efficiency, or discipline of the Department, to wit: said Police Officer Romero spat at an individual known to the Department and grabbed her phone as she was attempting to call for assistance.

A.G. 304-06, Page 1, Paragraph 1 PROHIBITED CONDUCT

3. Said Police Officer Jermack Romero, while off-duty and assigned to the 44 Precinct, on or about September 30, 2021, engaged in conduct prejudicial to the good order, efficiency, or discipline of the Department, to wit: said Police Officer Romero by pulling on an individual known to the Department's shirt and necklace, causing the shirt to rip and the chain to break.

A.G. 304-06, Page 1, Paragraph 1 PROHIBITED CONDUCT

Charging Party JERMACK ROMERO alleges that on or about October 1, 2021, he was arraigned accused of committing the crimes of Assault in the Third Degree, Criminal Mischief in the Fourth Degree and Harassment in the Second Degree in the People State of New York v. Jermack Romero Docket No.: CR-0148789-21BX, Criminal Court of Bronx County.

Charging Party JERMACK ROMERO alleges that upon return from suspension, he remained on Modified Assignment. [Non-law enforcement activities]

Charging Party JERMACK ROMERO alleges that on or about January 21, 2022, the aforementioned criminal charges were dismissed and sealed pursuant to Criminal Procedure Law §§ 170.30 [1][e] and 160.50.

Charging Party JERMACK ROMERO alleges that despite the aforementioned dismissal, he remained on Modified Assignment. [Non-law enforcement activities]

Legal Defenses Designed to Prevent False Arrests and Other Constitutional Violations

Charging Party JERMACK ROMERO alleges that in accordance with New York State Criminal Procedure § 140.10 (49c), ... when an officer has reasonable cause to believe that more than one family or household member has committed such a misdemeanor, the officer is not required to arrest each such person. In such circumstances, the officer shall attempt to identify and arrest the primary physical aggressor... The officer shall evaluate each complaint separately to determine who is the primary physical aggressor and shall not base the decision to arrest or not to arrest on the willingness of a person to testify or otherwise participate in a judicial proceeding.

Charging Party JERMACK ROMERO alleges that in accordance with New York State Penal Law § 35.10 (6), the use of physical force upon another person which would otherwise constitute an offense is justifiable and not criminal under any of the following circumstances: ... A person may, pursuant to the ensuing provisions of this article, use physical force upon another person in self-defense or defense of a third person, or in defense of premises, or in order to prevent larceny of or criminal mischief to property, or in order to effect an arrest or prevent an escape from custody.

Charging Party JERMACK ROMERO alleges that in accordance with New York State Penal Law § 35.15 (1), a person may, subject to the provisions of subdivision two, use physical force upon another person when and to the extent he or she reasonably believes such to be necessary to defend himself, herself or a third person from what he or she reasonably believes to be the use or imminent use of unlawful physical force by such other person...

Charging Party JERMACK ROMERO alleges that in accordance with New York State Penal Law § 35.20 (2), a person in possession or control of any premises, or a person licensed or privileged to be thereon or therein, may use physical force upon another person when he or she reasonably believes such to be necessary to prevent or terminate what he or she reasonably believes to be the commission or attempted commission by such other person of a criminal trespass upon such premises. Such person may use any degree of physical force, other than deadly physical force, which he or she reasonably believes to be necessary for such purpose, and may use deadly physical force in order to prevent or terminate the commission or attempted commission of arson, as prescribed in subdivision one, or in the course of a burglary or attempted burglary, as prescribed in subdivision three.

Administrative Code § 8-107.1 Victims of domestic violence, sex offenses or stalking

Under §8-107.1, ... because [victims of domestic violence] are embarrassed or because they fear losing their jobs, [they] are often reticent about informing their employers about incidents of domestic violence or about requesting simple accommodations that might assist them in fulfilling their job duties. A growing body of anecdotal evidence

suggests that the fear of negative employment actions such as demotion, suspension, loss of pay and/or benefits or termination against employees who have revealed that they are victims of domestic violence is not unwarranted. For example, victims of domestic violence have been terminated or demoted after requesting simple protective measures such as time off or flexible hours to confer with an attorney or a domestic violence counselor, obtain an order of protection or obtain medical or other services for themselves or family members... [Exhibit No.: 1]

Charging Party JERMACK ROMERO alleges that Respondent THE CITY OF NEW YORK through Former Police Commissioner KEECHANT L. SEWELL and Former First Deputy Commissioner EDWARD A. CABAN using 'arbitrary standards' failed to ensure its designees Duty Chief Elton Mohammed; Duty Inspector Luis Colon and Duty Captain Edward Cruz applied the legal defenses designed to prevent false arrests and other constitutional violations due to his gender [he couldn't be a victim of domestic violence] and 'lack' of political affiliation with the administration.

NYPD 'ARBITRARY STANDARDS' AND ABUSE OF ITS' STATUTORY AUTHORITY

Charging Party JERMACK ROMERO alleges that KEECHANT L. SEWELL, is the former Police Commissioner, Police Department City of New York and while appointed, an authorized agent acting on behalf of Respondent THE CITY OF NEW YORK.

Charging Party JERMACK ROMERO alleges that EDWARD A. CABAN, is the Police Commissioner, Police Department City of New York and former First Deputy Police Commissioner under KEECHANT L. SEWELL an authorized agent acting on behalf of Respondent THE CITY OF NEW YORK.

Charging Party JERMACK ROMERO alleges that Respondent THE CITY OF NEW YORK designates the Police Department City of New York [NYPD] as a mayoral agency to engage in law enforcement activities with the general public and to manage its employees including handling disciplinary matters.

Respondent THE CITY OF NEW YORK, is a municipal corporation and public employer, duly incorporated pursuant to the laws of the State of New York with its principal place of business located within the County of New York.

Charging Party JERMACK ROMERO alleges that alleges that under § 14-115[a] of the New York City Administrative Code, the Commissioner "shall have power, in his or her discretion, on conviction by the commissioner, or by any court or officer of competent jurisdiction, of a member of the force of any criminal offense, or neglect of duty, violation of rules, or neglect or disobedience of orders, or absence without leave, or any conduct injurious to the public peace or welfare, or immoral conduct or conduct unbecoming an officer, or any breach of discipline, to punish the offending party by reprimand, forfeiting and withholding pay for a specified time, suspension without pay during such suspension, or by dismissal from the force." Moreover, while the Commissioner has delegated to other bodies the responsibility of reviewing, investigating, and prosecuting complaints, as well as making disciplinary recommendations to h[er], [s]he has retained complete power and discretion to modify disciplinary decisions.

Charging Party JERMACK ROMERO alleges that Respondent THE CITY OF NEW YORK through KEECHANT L. SEWELL and/or EDWARD A. CABAN operate NYPD Legal Matters [DCLM] which allegedly provides assistance to law enforcement personnel regarding department legal matters. The bureau allegedly assists members of the service in interpreting and enforcing state, federal, and local laws; ensures that the policies and practices of the department are lawful and are fairly applied.

Charging Party JERMACK ROMERO alleges that Respondent THE CITY OF NEW YORK through KEECHANT L. SEWELL and/or EDWARD A. CABAN operates the Internal Affairs Bureau [IAB] which is allegedly dedicated to preserving integrity of the NYPD.

Charging Party JERMACK ROMERO alleges that Respondent THE CITY OF NEW YORK through KEECHANT L. SEWELL and/or EDWARD A. CABAN operates the Office of the Department Advocate [DAO] which allegedly prosecutes civilian and uniformed members of the service accused of violating department policies.

Charging Party JERMACK ROMERO alleges that Respondent THE CITY OF NEW YORK through KEECHANT L. SEWELL and/or EDWARD A. CABAN operates the Office of the Deputy Commissioner of Trials [DCT] which allegedly ensures that members of the Department are held to the highest standard of conduct and to conduct fair and impartial disciplinary trials.

Charging Party JERMACK ROMERO alleges that on or about June 21, 2018, former Police Commissioner James P. O'Neill appointed an "Independent Panel" to conduct a "review" of the internal disciplinary system of the NYPD or "Department" and to propose recommendations to improve it. [Exhibit No.: 2] [Exhibit No.: 3 NYPD Disciplinary Penalty Guidelines]

Charging Party JERMACK ROMERO alleges that according to the report summary, the "Panel" consisted of the Honorable Mary Jo White, its chair; the Honorable Robert L. Capers and the Honorable Barbara S. Jones.

Charging Party JERMACK ROMERO alleges that according to the report summary, to carry out its mandate, the "Panel" allegedly surveyed "Department" policies and procedures governing how internal disciplinary cases are initiated, prosecuted, and resolved.

Charging Party JERMACK ROMERO alleges that on or about January 25, 2019, in the final report, the "Panel" included a section relating to allegations of systemic favoritism, bias, or significant inconsistencies.

Charging Party JERMACK ROMERO alleges that according to the "Panel," "in any adjudicatory system, allegations of systemic favoritism, bias, or significant inconsistencies strike at the core of its legitimacy."

Charging Party JERMACK ROMERO alleges that under at least the past three [3] administrations, police commissioners [EDWARD A. CABAN, KEECHANT L. SEWELL and Dermot F. Shea], they abused their statutory authority by using 'arbitrary standards' to determine how disciplinary cases are initiated, prosecuted, and resolved including using gender and political affiliations as impermissible factors.

Charging Party JERMACK ROMERO alleges that Agency Attorney Samuel Yee alleged in Samuel Yee v. The City of New York, et al., filed on February 14, 2023, in the Supreme Court, New York County Index No.: 151387/2023, during former Deputy Commissioner Department Advocate's Office Amy J. Litwin's tenure [under EDWARD A. CABAN, KEECHANT L. SEWELL, Dermot F. Shea and James P. O'Neill], she engaged in discriminatory practices including intentionally removing lawyers of color off cases involving allegations of discrimination, domestic violence and sex offenses. [Exhibit No.: 4]

Charging Party JERMACK ROMERO alleges that upon information and belief, during former Deputy Commissioner Department Advocate's Office Amy J. Litwin's tenure [under EDWARD A. CABAN, KEECHANT L. SEWELL, Dermot F. Shea and James P. O'Neill], the overwhelming majority of cases involving domestic violence were sustained against male police officers than similarly situated female police officers resulting in a disproportionate disparity in outcomes with male police officers receiving more substantial penalties including termination and the female police officers receiving fewer substantial penalties.

Charging Party JERMACK ROMERO alleges that upon information and belief, during former Deputy Commissioner Department Advocate's Office Amy J. Litwin's tenure [under EDWARD A. CABAN, KEECHANT L. SEWELL, Dermot F. Shea and James P. O'Neill], male police officers were less likely to have cases involving domestic violence dismissed than similarly situated female police officers.

Charging Party JERMACK ROMERO alleges that during Deputy Commissioner Trials – Rosemarie Maldonado’s tenure [under EDWARD A. CABAN, KEECHANT L. SEWELL, Dermot F. Shea and James P. O’Neill], she and her assistant deputy commissioners upon information and belief, the overwhelming majority of cases involving domestic violence are sustained against male police officers than similarly situated female police officers resulting in a disproportionate disparity in outcomes with male police officers receiving more substantial penalties including termination and the female police officers receiving fewer substantial penalties.

Charging Party JERMACK ROMERO alleges that during Deputy Commissioner Trials – Rosemarie Maldonado’s tenure [under EDWARD A. CABAN, KEECHANT L. SEWELL, Dermot F. Shea and James P. O’Neill], she and her assistant deputy commissioners, upon information and belief, male police officers are less likely to have cases involving domestic violence dismissed than similarly situated female police officers.

The NYPD Disciplinary Process Uses ‘Arbitrary Standards’ Supported With the Hypocritical ‘Conduct’ of the Police Commissioners’

Charging Party JERMACK ROMERO alleges that for at least the past three [3] administrations under police commissioners [EDWARD A. CABAN, KEECHANT L. SEWELL and Dermot F. Shea], they knowingly violated NYPD Patrol Guide Procedure No.: 203-10, Page 1, Paragraph 2(c) PUBLIC CONTACT – PROHIBITED CONDUCT GENERAL REGULATIONS: “wrongfully and knowingly associated with a person, reasonably believed to be engaged in, likely to engage in or to have engaged in criminal activities.”

Charging Party JERMACK ROMERO alleges that police commissioners EDWARD A. CABAN, KEECHANT L. SEWELL, Dermot F. Shea and its executive management knowingly associate[d] and in some instances still associates with Jimmy Rodriguez aka Jamie Rodriguez, the former operator of Jimmy’s Bronx Café now associated with Con Sofrito located at 1315 Commerce Avenue Bronx, N.Y. 10461. The establishment is owned by the 1315 Restaurant Group Corp. DOS ID: 5690783, registered as a Domestic Business Corporation on January 16, 2020. The registered agent is Mr. Richard Caban, retired lieutenant and brother of EDWARD A. CABAN.

Charging Party JERMACK ROMERO alleges that Jimmy Rodriguez aka Jamie Rodriguez has a criminal history [acknowledged during interviews with several publications including The New Yorker on November 9, 1997] with recurring allegations related to the sale of narcotics, prostitution and other criminal conduct within the former Jimmy’s Bronx Café and now Con Sofrito.

Charging Party JERMACK ROMERO alleges that as coined in the publication City and State, Con Sofrito is listed as one of the Top 50 Political Hangouts in New York. [There’s a plethora of social media data to support numerous powerful democratic public officials patronizing the establishment].

Charging Party JERMACK ROMERO alleges that over the past three [3] years, supported with social media posts and other related data, literally hundreds of NYPD personnel patronized Con Sofrito but, were not disciplined for violating NYPD Patrol Guide Procedure No.: 203-10, Page 1, Paragraph 2(c) PUBLIC CONTACT – PROHIBITED CONDUCT GENERAL REGULATIONS: “wrongfully and knowingly associated with a person, reasonably believed to be engaged in, likely to engage in or to have engaged in criminal activities.”

Charging Party JERMACK ROMERO alleges that this is possible because the NYPD Disciplinary System uses ‘Arbitrary Standards’ and ‘lacks transparency’ over the past three [3] administrations under police commissioners EDWARD A. CABAN, KEECHANT L. SEWELL and Dermot F. Shea and their hypocritical ‘conduct’ including its executive management, supports the proposition of systemic favoritism, bias, and significant inconsistencies how disciplinary cases are initiated, prosecuted, and resolved.

Charging Party JERMACK ROMERO alleges that inconsistent with department policy, as other similarly situated business establishments throughout the City of New York, upon information and belief, Con Sofrito is not listed as a corruption prone location to protect police commissioner EDWARD A. CABAN'S brother Richard Caban's business.

Charging Party JERMACK ROMERO alleges that to incentivize NYPD personnel and other powerful democratic public officials to patronize the business, upon information belief, Con Sofrito offers 'heavily' discounted meals and entertainment to protect the business from federal, state and local government law enforcement activities.

Charging Party JERMACK ROMERO alleges that upon information and belief, Jimmy Rodriguez aka Jamie Rodriguez and other persons are either shareholders in 1315 Restaurant Group Corp. and/or receive other forms of compensation from the business.

Charging Party JERMACK ROMERO alleges that to illustrate the aforementioned allegations, he has embedded several photos from social media platforms of the past three [3] administrations under police commissioners EDWARD A. CABAN, KEECHANT L. SEWELL and Dermot F. Shea and their hypocritical 'conduct' including its executive management, supports the proposition of systemic favoritism, bias, and significant inconsistencies how disciplinary cases are initiated, prosecuted, and resolved.



Jimmy's ConSofrito

Oct 8, 2022 · 🌐

[Mobile uploads](#)

Police Commissioners Keechant L. Sewell, Edward A. Caban and
former Chief of Department Kenneth E. Corey



Jimmy's ConSofrito

Oct 8, 2022 · 🌐

Police Commissioners Keechant L. Sewell and Edward A. Caban



Jimmy's ConSofrito

Oct 8, 2022 · 

Jimmy Rodriguez with former Chief of Department Kenneth E. Corey



Mayor Eric L. Adams, Speaker of the New York State Assembly
Carl E. Heastie with Jimmy Rodriguez



Police Commissioner Edward A. Caban with brothers Richard Caban [owner of 1315 Restaurant Group Corp.] and former NYPD Sergeant James Caban [termination in January 2001]



Jimmy Rodriguez with Patrick J. Lynch, former president of the
Police Benevolent Association of the City of New York



Richard Caban [owner of 1315 Restaurant Group Corp.], former Police Commissioner Dermot F. Shea with Jimmy Rodriguez



Jimmy Rodriguez with former Police Commissioner Dermot F. Shea



Police Commissioner Edward A. Caban with Patrick J. Lynch, former president of the Police Benevolent Association of the City of New York



Jimmy Rodriguez with Chief of Housing Martine N. Materasso and Patrick J. Lynch, former president of the Police Benevolent Association of the City of New York



Deputy Commissioner Community Affairs Mark T. Stewart,
Inspector Victoria C. Perry with unidentified person



Former Chief of Training Juanita N. Holmes and Police Commissioner Edward A. Caban



Jimmy Rodriguez with Deputy Commissioner Equity and Inclusion
Wendy Garcia [dark clothing with pink shoes]



Jimmy Rodriguez attending the swearing in ceremony of Police Commissioner Edward A. Caban

Charging Party JERMACK ROMERO alleges that upon information and belief, none of the aforementioned NYPD personnel or the hundreds of other NYPD personnel patronizing Con Sofrito were terminated for violating NYPD Patrol Guide Procedure No.: 203-10, Page 1, Paragraph 2(c) PUBLIC CONTACT – PROHIBITED CONDUCT GENERAL REGULATIONS: “wrongfully and knowingly associated with a person, reasonably believed to be engaged in, likely to engage in or to have engaged in criminal activities.”

Other ‘Arbitrary Standards,’ Departure From the NYPD Disciplinary Matrix

Charging Party JERMACK ROMERO alleges that as reported in the [New York Daily News](#) on October 22, 2023, an NYPD officer accused of having sex with a witness in a carjacking case he investigated was facing termination — until Police Commissioner Edward A. Caban swooped in and saved his career.

Police Officer Willie [L.] Thompson was accused of “prohibitive conduct” and making false statements after it came to light that he was sleeping with a woman who saw two men carjack a motorist in Washington Heights on May 23, 2021, according to a recently released NYPD disciplinary report. [Exhibit No.: 5]

After a disciplinary hearing in NYPD headquarters Assistant Deputy Commissioner – Trials Jeff [S.] Adler recommended Thompson’s termination.

Charging Party JERMACK ROMERO alleges that according to the Trial Decision, in the Matter of the Charges and Specifications against Police Officer Willie Thompson Case No.: 2021-24396, Commissioner Adler Notes: “He had multiple sexual encounters with a witness in a carjacking case while the prosecution of that matter was still pending, making her feel unsafe. [Thompson’s] attempt to minimize the severity of his misconduct, by describing the complainant as a “peripheral witness,” was unpersuasive; the complainant observed the beginning of the altercation. ran to call 911, and subsequently identified the two alleged perpetrators.

One week after the sexual encounters came to light, [Thompson] compounded his misconduct by blaming the complainant, and telling her that the police would come to her home to question her. Not surprisingly, this conversation had an intimidating effect on the complainant, who became concerned that she, herself, was being investigated for committing a crime. ADA [Yuval] Simichi-Levi described the complainant as “very upset” when she promptly called the ADA to report her encounter with [Thompson] at the bodega...

Charging Party JERMACK ROMERO alleges that Police Commissioner EDWARD A. CABAN declined to follow the penalty recommendation of termination, instead imposed an ‘unreviewable’ penalty: thirty [30] day loss of vacation days and one [1] year dismissal probation.

Charging Party JERMACK ROMERO alleges that upon information and belief, Police Commissioner EDWARD A. CABAN imposed the ‘unreviewable’ penalty using Police Officer Willie Thompson’s ‘political affiliation’ an ‘arbitrary standard’ as an impermissible factor to investigate, prosecute and resolve the disciplinary matter.

The Department Trial

Charging Party JERMACK ROMERO alleges that with reckless disregard for the truth, on or about July 25, 2023, the department commenced the disciplinary trial against him In the Matter of the Charges and Specifications against Police Officer JERMACK ROMERO Case No.: 2021-24072, for allegedly engaging in a physical altercation with a person known to the department and other related charges.

Charging Party JERMACK ROMERO alleges that after a one [1] day department trial, on or about September 7, 2023, Assistant Deputy Commissioner – Trials Vanessa Facio-Lince recommended a finding of GUILTY and DISMISSAL from the department. [Exhibit No.: 6]

Charging Party JERMACK ROMERO alleges that during the department trial, he raised several defenses related to the CPL, PL and AC, yet Assistant Deputy Commissioner - Trials Vanessa Facio-Lince declined to apply them.

Charging Party JERMACK ROMERO alleges that this is due to the blatant ‘arbitrary standards,’ gender and political affiliation bias that’s openly practiced within the NYPD Disciplinary System.

Charging Party JERMACK ROMERO alleges that despite Assistant Deputy Commissioner – Trials Vanessa Facio-Lince declining to apply the defenses related to the CPL, PL and AC, Police Commissioner EDWARD A. CABAN adopted the findings and imposed his DISMISSAL from the department on or about October 19, 2023. [Exhibit No.: 7]

Charging Party JERMACK ROMERO alleges that Police Commissioner EDWARD A. CABAN imposed such penalty using ‘arbitrary standards’ including his gender [he couldn’t be a victim of domestic violence] and ‘lack’ of ‘political affiliation’ with the administration as impermissible factors to investigate, prosecute and resolve the disciplinary matter.

Charging Party JERMACK ROMERO alleges that the aforementioned actions violated his rights under Title VII of the Civil Rights of 1964 [Gender Discrimination], the Civil Rights of 1871, 42 U.S.C. § 1983 [Gender Discrimination], Due Process Clause [Procedural and Substantive] of the Fourteenth Amendment, Fourteenth Amendment – Equal Protection – Victims of Domestic Violence, New York State Executive Law § 296 [Gender Discrimination] and New York City Administrative Code § 8-107 [Gender Discrimination].