

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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EMELIO C. RODRIQUES

Plaintiff,

SUMMONS

-against-

Index No.:

JURY DEMAND

THE CITY OF NEW YORK; EDWARD A. CABAN, as Police Commissioner, ANEUDY CASTILLO, as Commanding Officer, 34th Precinct, ERICKSON PERALTA, as Executive Officer, 34th Precinct, MICHAEL J. DISANTO, as Special Operations Lieutenant, 34th Precinct, JONATHAN CRUZ, as Administrative Lieutenant, 34th Precinct, and CHRISTINA ORTIZ, as Domestic Violence Sergeant, 34th Precinct, each sued in their official and individual capacities as employees, representatives, or agents of the CITY OF NEW YORK.

Defendants

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To the Defendant named above:

You are hereby summoned and required to serve a written answer to the attached Verified Complaint upon the Plaintiff’s attorney at the address below.

If this Summons is personally delivered to you within the State of New York, you must serve your answer within twenty (20) days after such service, exclusive of the service date.

If this Summons is served upon you in any other manner authorized by law, you must serve your answer within thirty (30) days after service is complete, as provided by the New York Civil Practice Law and Rules.

Should you fail to appear or answer within the applicable period stated above, judgment may be entered against you by default for the relief demanded in the Verified Complaint, without further notice.

This action is venued in the Supreme Court of the State of New York, County of New York, located at 60 Centre Street, New York, New York 10007.

Dated: April 21, 2025
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders _____
Eric Sanders

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DEFENDANT ADDRESSES

Defendant THE CITY OF NEW YORK
c/o New York City Law Department
100 Church Street
New York, N.Y. 10007

Defendant EDWARD A. CABAN
c/o NYPD Legal Bureau
One Police Plaza
New York, N.Y. 10038

Defendant ANEUDY CASTILLO
Police Department City of New York
34th Precinct
4295 Broadway
New York, N.Y. 10033

Defendant ERICKSON PERALTA
Police Department City of New York
34th Precinct
4295 Broadway
New York, N.Y. 10033

Defendant MICHAEL J. DISANTO
Police Department City of New York
34th Precinct
4295 Broadway
New York, N.Y. 10033

Defendant JONATHAN CRUZ
c/o NYPD Legal Bureau
One Police Plaza
New York, N.Y. 10038

Defendant CHRISTINA ORTIZ
c/o NYPD Legal Bureau
One Police Plaza
New York, N.Y. 10038

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Plaintiff,

Verified Complaint

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Defendants
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Plaintiff EMELIO C. RODRIQUES, through his attorneys, THE SANDERS FIRM, P.C., files this Verified Complaint against Defendants THE CITY OF NEW YORK, EDWARD A CABAN, ANEUDY CASTILLO, ERICKSON PERALTA, MICHAEL J. DISANTO, JONATHAN CRUZ, and CHRISTINA ORTIZ, respectfully allege as follows:

INTRODUCTORY SUMMARY

This is a civil rights action brought pursuant to the New York State Human Rights Law (Executive Law § 296) and the New York City Human Rights Law (Administrative Code § 8-107) to redress systemic race, national origin, and gender discrimination, a hostile work environment, and retaliation against Plaintiff EMELIO C. RODRIQUES, a highly decorated Black Jamaican male officer with over two decades of service in the New York City Police Department (NYPD).

Plaintiff RODRIQUES was targeted, marginalized, and ultimately removed from his post as Integrity Control Officer at the NYPD's 34th Precinct after uncovering and reporting extensive misconduct by senior leadership—including Defendants ANEUDY CASTILLO, ERICKSON PERALTA, MICHAEL J. DISANTO, and JONATHAN CRUZ. These violations included corruption, selective enforcement of the law, overtime fraud, and the maintenance of a protection racket tied to politically connected individuals, including James Caban, the twin brother of then–Police Commissioner Defendant EDWARD A. CABAN.

Defendant CABAN knowingly permitted and shielded this misconduct by enabling his brother James to wield influence over precinct-level enforcement decisions, including the shielding of nightlife venues and private businesses from legal oversight. These unlawful directives—delivered under the false pretense of coming from the Police Commissioner himself—were carried out by Defendant CASTILLO and enforced through threats, coercion, and retaliation against any officer who challenged their legitimacy. Among them, Plaintiff RODRIQUES stood alone in his refusal to participate in this scheme, a principled stance for which he was repeatedly punished.

After objecting to these unlawful practices and documenting sexual misconduct occurring on-duty between Defendant DISANTO and CHRISTINA ORTIZ, Plaintiff RODRIQUES was removed from his post, denied overtime, falsely portrayed as mentally unfit, and placed on restricted duty status without justification. Defendant CABAN, rather than investigating the allegations of misconduct raised by Plaintiff RODRIQUES, authorized and sustained the use of psychological referrals as a retaliatory tool, allowing corrupt subordinates to sideline and discredit a whistleblower officer under the color of departmental procedure.

To further retaliate against Plaintiff RODRIQUES for exercising his rights under anti-discrimination and whistleblower protection laws, Defendant ORTIZ filed a legally frivolous and malicious defamation lawsuit in February 2025. This SLAPP-style action was calculated to chill Plaintiff RODRIQUES's protected activity and suppress further exposure of sexual favoritism, policy violations, and abuse of authority within the 34th Precinct. The lawsuit itself incorporates facts directly tied to disclosures made in Plaintiff RODRIQUES's formal complaints, illustrating its retaliatory purpose and lack of factual merit.

Despite over two decades of service and a record of professional integrity, Plaintiff RODRIQUES has been left with no viable path to career restoration, no due process, and no protection from the retaliatory machinery of NYPD leadership. This lawsuit seeks redress for the discriminatory treatment, hostile work environment, retaliatory actions, and reputational harm that he has endured—inflicted by a command structure corrupted by personal loyalties, racial and national origin bias, and indifference to lawful oversight.

JURISDICTION AND VENUE

1. Plaintiff EMELIO C. RODRIQUES brings this action under the New York State Human Rights Law (NYSHRL), Executive Law § 296, and the New York City Human Rights Law (NYCHRL), New York City Administrative Code § 8-107, which confer jurisdiction upon this Court to hear and determine claims involving unlawful discriminatory practices, including but not limited to race discrimination, gender-based harassment, hostile work environment, and retaliation.

2. Plaintiff asserts claims arising under state and local laws prohibiting such unlawful conduct in public employment, thereby invoking this Court's jurisdiction to adjudicate the claims herein under the NYSHRL and NYCHRL.

3. The unlawful employment practices and violations of Plaintiff's civil rights complained of herein occurred within the Counties of Queens and New York. Specifically, the NYPD Psychological Services Unit is located in Queens County, where Plaintiff was subjected to retaliatory psychological referrals and evaluations. Additionally, the County of New York (Manhattan) is where the NYPD's Office of Equity and Inclusion, executive leadership, and key disciplinary decision-makers are headquartered and exercised authority over the adverse actions taken against Plaintiff.

4. The employment actions relating to Plaintiff's suspension, proposed constructive discharge, threats of disciplinary action, and the refusal to promote him to the position of Captain of Police—despite his placement on the active civil service eligibles list—were authorized, ratified, or permitted to proceed under the authority of Defendant CABAN, as well as former NYPD Commissioners Thomas G. Donlon and Jessica S. Tisch. Acting in their official capacities as the appointing and final disciplinary authorities for uniformed personnel within the Department, these officials allowed Defendant CABAN's retaliatory conduct and misuse of institutional authority to proceed without oversight. Their collective failure to intervene enabled the ongoing discrimination, retaliation, and suppression of Plaintiff's advancement within the Department.

PROCEDURAL REQUIREMENTS

5. Plaintiff EMILIO ANDINO has commenced this action within the applicable statute of limitations prescribed by the New York State Human Rights Law (Executive Law § 296) and the New York City Human Rights Law (Administrative Code § 8-107).

6. Plaintiff brings his claims for race discrimination, gender-based harassment, hostile work environment, and retaliation exclusively under the NYSHRL and NYCHRL.

7. Filing with the United States Equal Employment Opportunity Commission (EEOC) is not a prerequisite to filing claims under the NYSHRL or NYCHRL.

8. Plaintiff is not required to exhaust any administrative remedies before commencing this action in court, and no such exhaustion has been pursued or is necessary.

THE PARTIES

9. Plaintiff EMELIO C. RODRIQUES is a Black Jamaican male and a Lieutenant with the New York City Police Department (NYPD), where he has served since July 22, 2002. At all relevant times, he was assigned to the 34th Precinct as Operations Coordinator and Integrity Control Officer. In that role, he reported widespread misconduct, including corruption, overtime fraud, and on-duty sexual activity involving senior officers. As a result, he was subjected to retaliation, racial and national origin discrimination, removal from his post, and a retaliatory psychological referral, despite being eligible for promotion and full-duty reinstatement.

10. Defendant the City of New York is a municipal corporation organized under the laws of the State of New York. The City maintains and operates the NYPD and is responsible for its employees' policies, practices, supervision, training, hiring, retention, discipline, and conduct, including those named individually.

11. Defendant EDWARD A. CABAN is the former Commissioner of the New York City Police Department (NYPD) and, at all relevant times, served as the final policymaker and disciplinary authority for uniformed personnel within the Department. As Commissioner, CABAN exercised direct oversight over disciplinary processes, personnel assignments, and internal accountability structures. Plaintiff alleges that CABAN knowingly enabled a protection racket involving his twin brother James Caban, and permitted retaliatory actions—including

psychological referrals and career obstruction—against Plaintiff in response to his reports of misconduct and corruption within the 34th Precinct.

12. Defendant ANEUDY CASTILLO is a Commanding Officer within the New York City Police Department (NYPD) who, at all relevant times, oversaw operations at the 34th Precinct. CASTILLO exercised direct supervisory authority over Plaintiff and played a central role in the retaliation, discriminatory treatment, and hostile work environment to which Plaintiff was subjected. CASTILLO is alleged to have engaged in and facilitated widespread misconduct, including selective enforcement of the law, overtime fraud, protection of politically connected individuals, and the concealment of sexual misconduct within the precinct. Plaintiff further alleges that CASTILLO orchestrated retaliatory actions against him, including removal from the Integrity Control Officer position, denial of overtime, and a false referral to psychological services in an effort to discredit and silence him.

13. Defendant ERICKSON PERALTA is the Executive Officer of the 34th Precinct within the New York City Police Department (NYPD). At all relevant times, PERALTA served as a direct supervisor to Plaintiff and acted in concert with Defendant ANEUDY CASTILLO to facilitate and enforce retaliatory measures against Plaintiff. PERALTA is alleged to have actively participated in the discriminatory and hostile work environment by threatening Plaintiff with suspension, obstructing his access to overtime, and supporting CASTILLO's efforts to marginalize and discredit Plaintiff for reporting misconduct. PERALTA further enabled the selective enforcement of departmental rules and contributed to the unlawful exclusion of Plaintiff from advancement opportunities on the basis of his race, national origin, and protected activity.

14. Defendant MICHAEL J. DISANTO is a Special Operations Lieutenant assigned to the 34th Precinct within the New York City Police Department (NYPD). At all relevant times,

DISANTO operated as a key member of the inner circle led by Defendant ANEUDY CASTILLO and is alleged to have engaged in on-duty sexual misconduct with Defendant CHRISTINA ORTIZ, as well as benefiting from fraudulent overtime schemes approved by precinct leadership. DISANTO is further alleged to have participated in the retaliation against Plaintiff by reinforcing a culture of intimidation, referring to the command structure as “the mafia,” and contributing to efforts to undermine Plaintiff’s authority and credibility after he reported misconduct.

15. Defendant JONATHAN CRUZ is a Lieutenant currently assigned to the Youth Strategies Division within the New York City Police Department (NYPD). At all relevant times, Cruz served as the Administrative Lieutenant at the 34th Precinct, where he exercised supervisory authority and acted in concert with Defendants ANEUDY CASTILLO, ERICKSON PERALTA, and MICHAEL J. DISANTO. CRUZ is alleged to have actively participated in the retaliation and discriminatory treatment of Plaintiff, including denying him overtime, misrepresenting his performance to command leadership, and supporting the false referral to psychological services. CRUZ’s actions contributed to the hostile work environment, professional isolation, and obstruction of Plaintiff’s advancement following his protected disclosures of corruption and misconduct.

16. Defendant CHRISTINA ORTIZ is a former Domestic Violence Sergeant previously assigned to the 34th Precinct within the New York City Police Department (NYPD), and is now ironically assigned to the Internal Affairs Bureau. At all relevant times, ORTIZ engaged in an inappropriate on-duty relationship with MICHAEL J. DISANTO, frequently abandoning her official responsibilities to engage in personal conduct that undermined the operations of the Domestic Violence Unit. Despite clear violations of departmental policy,

ORTIZ was protected from discipline by precinct leadership due to her close association with DISANTO and her favored status within the command. After Plaintiff documented and reported her misconduct in his capacity as Integrity Control Officer, ORTIZ filed a retaliatory and legally baseless defamation lawsuit against him, seeking to punish his protected disclosures and discredit him professionally. Her subsequent assignment to Internal Affairs underscores the Department's pattern of shielding individuals who engage in misconduct while targeting those who expose it.

OFFICER BACKGROUNDS AND PATTERN OF MISCONDUCT

Institutional Harm and Retaliatory Command Culture: The Checkered NYPD Career of Defendant Edward A. Caban and the Silencing of Dissent

17. As Police Commissioner from July 2023 to September 2024, Defendant EDWARD A. CABAN oversaw one of the most aggressive rollbacks of internal police accountability measures in modern NYPD history. His tenure was marked by systemic obstruction of oversight investigations, widespread dismissal of substantiated misconduct cases, and the active use of retaliation against officers who challenged institutional wrongdoing—including Plaintiff.

18. Under CABAN's leadership, the NYPD terminated over 500 misconduct cases referred by the Civilian Complaint Review Board (CCRB)—more than half of the substantiated complaints received—without conducting any internal review, even when the cases involved serious offenses such as wrongful stop-and-frisks, unlawful searches, and excessive force. This included dozens of substantiated incidents arising from the very same discriminatory stop-and-frisk practices that had previously subjected the NYPD to a federal consent decree. In 2024 alone, the NYPD dismissed over 430 cases without review, a nearly 60% no-action rate, compared to 40% under his predecessor, Keechant Sewell.

19. CABAN not only failed to discipline officers found to have engaged in serious misconduct—including chokeholds, retaliatory summonses, and the use of racial slurs—but also exploited the department’s "retention" authority to override disciplinary recommendations from the CCRB. In more than 50 cases, Caban intervened to block public disciplinary trials and instead imposed no meaningful punishment, even in cases where CCRB investigators had concluded that officers likely committed crimes.

20. During the same period, Plaintiff—a Black Jamaican male lieutenant—was subjected to an escalating campaign of retaliation for his protected disclosures of corruption, sexual misconduct, and unlawful favoritism within the 34th Precinct. Rather than investigate or act on Plaintiff’s complaints, CABAN allowed his subordinates to weaponize psychological referrals and career obstruction to silence a whistleblower. His affirmative decision to keep Plaintiff on restricted duty and his refusal to promote Plaintiff to the rank of Captain, despite civil service eligibility, occurred in tandem with his broader dismantling of NYPD accountability systems.

21. These retaliatory acts were not isolated, but instead reflected the institutional values and enforcement priorities established by CABAN: a culture of impunity for those who enabled corruption and reprisals for those who challenged it. Plaintiff’s experience was emblematic of CABAN’s tenure, where political protection, not public accountability, governed personnel decisions.

22. The NYPD’s internal collapse of discipline under Caban has drawn condemnation from civil rights organizations, oversight bodies, and even the federal monitor overseeing the department’s stop-and-frisk reforms. The New York Civil Liberties Union, former federal

judges, and City Council members have all denounced Caban's tenure for "killing accountability" and reducing the CCRB's oversight to a formality.

23. Caban resigned in September 2024 after the FBI raided his residence and seized his electronic devices as part of a federal corruption probe involving his twin brother James Caban, who was alleged to have used his brother's office to protect politically connected businesses. During his tenure, Plaintiff directly reported that James Caban was impersonating the Police Commissioner to direct enforcement decisions inside the 34th Precinct—allegations Caban never addressed, and which only intensified the retaliation.

Summary of Defendant Aneudy Castillo's Role and Misconduct

24. Defendant ANEUDY CASTILLO is an Inspector currently assigned to Patrol Borough Manhattan North and previously served as the Commanding Officer of the 34th Precinct, where the unlawful conduct alleged herein took place. Castillo has also held posts in the 23rd and 115th Precincts during his NYPD career, which began in July 2005. A Hispanic male, Castillo earned approximately \$250,000 in 2024.

25. At all relevant times, CASTILLO exercised command authority over Plaintiff and played a central role in orchestrating the retaliation, hostile work environment, and discriminatory employment actions described in this Complaint. CASTILLO is alleged to have engaged in systemic misconduct, including the selective enforcement of laws, fraudulent manipulation of overtime, cover-ups of on-duty sexual activity, and the suppression of internal accountability mechanisms. He maintained close personal ties with James Caban, the twin brother of former Defendant CABAN, and facilitated unauthorized interference in precinct operations allegedly on James Caban's behalf.

26. Despite formal complaints and internal reporting by Plaintiff regarding CASTILLO's conduct, no disciplinary action was taken. CASTILLO was instead promoted to Inspector in February 2025, further evidencing the culture of impunity that shields senior NYPD officials from accountability while punishing those who expose misconduct.

27. CASTILLO was previously named in *Solano, Rahim v. City of New York*, a civil rights lawsuit filed in Bronx Supreme Court in 2013, which resulted in a \$20,000 settlement. His disciplinary record includes a 2010 CCRB complaint for discourtesy that was closed as "Complainant Uncooperative." Plaintiff alleges that CASTILLO's pattern of retaliatory leadership and favoritism, reinforced by personal alliances and political protection, directly contributed to the adverse employment actions at issue in this case.

Summary of Defendant Erickson Peralta's Role and Disciplinary History

28. Defendant ERICKSON PERALTA is a Captain assigned to the 34th Precinct within the New York City Police Department (NYPD) since June 2024. A Hispanic male, PERALTA has served in various commands during his NYPD career, including the 26th Precinct, Patrol Borough Manhattan North, Detective Borough Manhattan North Operations, Central Park Precinct, and Midtown North Precinct, having joined the Department in January 2008. In 2024, he earned approximately \$202,000.

29. At all relevant times, PERALTA served as Executive Officer of the 34th Precinct and acted in close coordination with Defendant ANEUDY CASTILLO and other senior supervisors to carry out a targeted campaign of retaliation, discrimination, and professional sabotage against Plaintiff. PERALTA is alleged to have actively participated in obstructing Plaintiff's access to overtime, threatening disciplinary action for refusing to follow unlawful

directives, and endorsing the false narrative used to justify Plaintiff's retaliatory psychological referral and removal from leadership.

30. PERALTA has been named in three civil rights lawsuits, including *Martinez v. City of New York*, in which he was alleged to have participated in the false arrest and detention of an individual based on a personal dispute over a misplaced phone. That case settled for \$12,500 in the Southern District of New York. He was also named in *Rosen v. City of New York*, where officers, including PERALTA, were accused of conducting a warrantless arrest following a dispute over the towing of a legally parked vehicle. A third case, *Nieves v. City of New York*, remains pending as of 2023.

31. His disciplinary history includes a 2014 CCRB complaint alleging improper use of a nonlethal restraining device against a civilian. Although the complaint was closed due to a non-cooperative complainant, it reflects ongoing concerns regarding Peralta's conduct in the field.

32. Plaintiff asserts that PERALTA was a key enabler of the hostile command climate at the 34th Precinct, leveraging his authority to shield misconduct, punish dissenters, and maintain the internal power dynamics that facilitated discrimination and corruption.

Summary of Defendant Michael J. Disanto's Role and Misconduct

33. Defendant MICHAEL J. DISANTO is a Lieutenant Special Assignment currently assigned to the 34th Precinct within the New York City Police Department (NYPD), a post he has held since August 2022. A white male, DISANTO has served in several commands, including the 23rd Precinct, 6th Precinct, Warrant Section, 25th Precinct, and 26th Precinct, since joining the NYPD in January 2008. He earned approximately \$243,000 in 2024.

34. At all relevant times, DISANTO was a central actor in the discriminatory, retaliatory, and corrupt conduct alleged herein. As a member of the command leadership at the 34th Precinct, he engaged in and benefited from systemic overtime fraud, selective law enforcement practices, and inappropriate on-duty conduct, including an undisclosed sexual relationship with then-Defendant CHRISTINA ORTIZ. Despite repeated abandonment of duty and misuse of precinct facilities, DISANTO was promoted and shielded from discipline due to his close alliance with Defendant ANEUDY CASTILLO and the precinct's inner circle.

35. DISANTO has been named in three federal civil rights lawsuits, resulting in a total of \$220,000 in settlements. In *Watson v. City of New York*, he was alleged to have participated in a strip search, physical assault, and use of homophobic slurs against a detainee, leading to a \$150,000 settlement. In *Killer v. City of New York*, the plaintiff alleged unlawful stop, false arrest, and use of excessive force during unrelated incidents; that case settled for \$35,000. In *Currie v. Barker*, Disanto was again named and the City of New York settled for \$35,000.

36. DISANTO also has a disciplinary history that includes five CCRB complaints and fifteen misconduct allegations. Although none were substantiated, eleven were exonerated under the NYPD's internal guidelines, and four were deemed unsubstantiated. The allegations span over a decade and include multiple claims of abusive stop-and-frisk tactics, unlawful searches, discourtesy, refusal to provide identifying information, and use of physical force.

37. Plaintiff alleges that DISANTO was a key figure in the effort to retaliate against him after he reported misconduct. DISANTO regularly used his authority to reinforce the command's retaliatory culture, referred to the leadership structure as "the mafia," and issued threats to silence those who challenged the precinct's corrupt practices. His misconduct, both

documented and concealed, forms part of the broader institutional failures that facilitated the hostile work environment and discriminatory acts suffered by Plaintiff.

Summary of Defendant Johnathan Cruz's Role and Misconduct

38. Defendant JONATHAN CRUZ is a Lieutenant currently assigned to the Youth Strategies Division of the New York City Police Department (NYPD), a post he has held since December 2024. A Hispanic male, CRUZ has served in multiple NYPD commands, including the Detective Bureau Manhattan Special Victims Squad, 70th Precinct, Detective Borough Brooklyn Special Victims Squad, 88th Precinct, and the 34th Precinct, where the unlawful conduct alleged herein occurred. He began his NYPD service in July 2004, earned approximately \$222,000 in 2024.

39. At all relevant times, Cruz served as Administrative Lieutenant at the 34th Precinct, where he acted under the direction of Defendants ANEUDY CASTILLO and ERICKSON PERALTA. CRUZ is alleged to have played a key role in the retaliation, exclusion, and discrediting of Plaintiff following his reports of corruption, misconduct, and on-duty sexual activity within the command. CRUZ denied Plaintiff access to overtime, misrepresented his performance to upper leadership, and participated in efforts to justify a false psychological referral intended to remove Plaintiff from his leadership position.

40. CRUZ has been the subject of four Civilian Complaint Review Board (CCRB) complaints, involving five misconduct allegations, including multiple claims of excessive force, abuse of authority, and offensive language. While none of the allegations were substantiated, one remains closed pending litigation and two others were closed after complainants were deemed uncooperative. In a 2023 case involving a 25-year-old Black female, use of physical force by

CRUZ was deemed “within NYPD guidelines,” reflecting the Department’s discretionary thresholds for evaluating force—not an exoneration of wrongdoing.

41. CRUZ is also a named defendant in a pending civil rights lawsuit, *Henry v. City of New York*, filed in Kings County Supreme Court in 2021. The plaintiff alleges that CRUZ, along with another officer, conducted a warrantless, baseless arrest, used unlawful force, and initiated a criminal prosecution against an innocent individual, resulting in pretrial detention at Rikers Island. That matter remains active and underscores CRUZ’s involvement in patterned abuses of authority.

42. Plaintiff alleges that CRUZ was instrumental in enforcing the discriminatory and retaliatory command culture that dominated the 34th Precinct, aiding in the suppression of internal accountability, and targeting Plaintiff for removal after he refused to participate in misconduct. CRUZ’s conduct is emblematic of the institutional pattern in which corrupt actors are shielded and whistleblowers are marginalized.

Summary of Defendant Christina Ortiz’s Role and Misconduct

43. Defendant CHRISTINA ORTIZ is a Sergeant Detective Squad currently assigned to the Internal Affairs Bureau of the New York City Police Department (NYPD), a position she has held since February 2024. A Hispanic female, ORTIZ has served in various NYPD commands since joining the Department in July 2006, including the 23rd Precinct, Police Service Area 4, and the 34th Precinct, where the retaliatory conduct alleged herein occurred. She earned approximately \$181,000 in 2024.

44. At all relevant times, Ortiz was assigned to the 34th Precinct, where she maintained an inappropriate on-duty relationship with Defendant MICHAEL J. DISANTO. She routinely abandoned her official responsibilities in the Domestic Violence Unit to engage in

personal activity with DISANTO, including frequent use of precinct offices for undisclosed encounters. Despite repeated derelictions of duty and disruption of operational integrity, ORTIZ was shielded from accountability by precinct leadership, promoted, and ultimately transferred to Internal Affairs—a unit charged with investigating the very types of misconduct in which she was implicated.

45. Following protected disclosures by Plaintiff regarding this misconduct, ORTIZ initiated a legally baseless and retaliatory defamation lawsuit in New York County Supreme Court in February 2025. The lawsuit was designed to punish Plaintiff for fulfilling his duties as Integrity Control Officer and reporting violations of departmental policy, including on-duty sexual conduct and favoritism that undermined the precinct’s command structure. ORTIZ’s lawsuit constitutes a classic strategic lawsuit against public participation (SLAPP), intended to suppress lawful whistleblowing activity and deflect scrutiny from her own conduct.

46. ORTIZ has been the subject of four CCRB complaints, involving six allegations, including claims of chokeholds, improper entry, refusal to provide identification, and abuse of authority related to forcible removals and unauthorized premises entry. While none of the allegations were substantiated, two were deemed “within NYPD guidelines,” and others were closed as unfounded or withdrawn—highlighting procedural outcomes that frequently shield officers from meaningful discipline without disproving the underlying conduct.

47. ORTIZ was also a named defendant in the federal civil rights case *Suarez v. City of New York*, filed in the Southern District of New York. The plaintiff alleged a false arrest, physical assault, and retaliation after reporting abuse at a nursing facility. Although the case concluded without a monetary disposition, it underscores ORTIZ’s documented history of being associated with alleged constitutional violations.

48. Plaintiff asserts that ORTIZ's role in the events giving rise to this action was not limited to misconduct in the field, but extended to a broader pattern of institutional retaliation, in which she was used by precinct leadership as both beneficiary and enforcer of corrupt command dynamics, and later weaponized civil litigation to discredit and silence Plaintiff for reporting her violations.

BACKGROUND

Background and Position at NYPD

49. Plaintiff, has been employed by the New York City Police Department (NYPD) since July 22, 2002. In January 2023, he was assigned to the Operations Coordinator position at the 34th Precinct, which covers Washington Heights.

50. Following this assignment, the Plaintiff was later appointed as the Integrity Control Officer (ICO), solely responsible for ensuring that civilian and uniformed command members adhere to department policies and the law. As the ICO, his duty was to oversee internal accountability measures, investigate potential violations of department regulations, and ensure lawful enforcement practices were upheld within the precinct.

51. However, upon assuming these roles, the Plaintiff uncovered significant misconduct within the command, including corruption, selective enforcement, preferential treatment for politically connected individuals, and financial fraud related to overtime abuse. When he attempted to fulfill his responsibilities by reporting and addressing these violations, he became the target of retaliation, workplace hostility, and career sabotage orchestrated by Defendants ANEUDY CASTILLO, ERICKSON PERALTA, MICHAEL J. DISANTO, and JONATHAN CRUZ.

52. The Plaintiff alleges that his race (Black), national origin (Jamaican), and gender (male) were impermissible factors that influenced how he was treated in comparison to his colleagues. Instead of being supported in his role as Integrity Control Officer, CASTILLO, PERALTA, DISANTO, and CRUZ undermined, harassed, and ultimately removed him from the position in retaliation for refusing to ignore misconduct.

Allegations of Corruption and Selective Enforcement of the Law [January 2023 – September 2024]

53. After assuming the roles of Operations Coordinator and Integrity Control Officer at the 34th Precinct, the Plaintiff identified and documented a pattern of systemic corruption, selective enforcement, and abuse of power perpetrated by Defendant ANEUDY CASTILLO (Tax Registry No.: 938190), ERICKSON PERALTA (Tax Registry No.: 946103), MICHAEL J. DISANTO (Tax Registry No.: 945669), and JONATHAN CRUZ (Tax Registry No.: 934705). Their coordinated misconduct involved granting political favors, obstructing law enforcement efforts and ensuring that individuals and businesses with connections to high-ranking NYPD officials were shielded from police action, regardless of ongoing criminal activity. However, how the Plaintiff was treated in response to his objections was directly influenced by his race (Black), national origin (Jamaican), and gender (male), which made him an even greater target for exclusion, hostility, and retaliation.

54. As a Black Jamaican male in a leadership position, the Plaintiff was not afforded the same deference, respect, or authority that was granted to white and Hispanic officers in similar roles. His efforts to enforce department policies and uphold ethical standards were routinely met with resistance, ridicule, and deliberate attempts to undermine his credibility. His discriminatory treatment was not simply a result of his opposition to corruption but was

exacerbated by the fact that he did not fit the mold of officers traditionally protected or favored within the department.

55. The Plaintiff specifically alleges that James Caban, the twin brother of Defendant EDWARD A. CABAN, maintained an undisclosed relationship with CASTILLO, likely involving financial benefits. As a result of this relationship, CASTILLO and CABAN engaged in routine communications, including weekly phone calls and in-person meetings, to dictate law enforcement decisions within the jurisdiction of the 34th Precinct, which covers Washington Heights.

56. Under CASTILLO's direction, certain nightclubs and lounges with ties to James Caban were insulated entirely from any law enforcement scrutiny, regardless of repeated complaints about ongoing illegal activity, including noise violations, drug use, and disorderly conduct. CASTILLO and DISANTO explicitly directed officers not to conduct enforcement activities against these locations, no matter the severity or frequency of violations. Even when officers attempted to take lawful police action, CASTILLO personally intervened, calling supervisors from his home to ensure that reports were either altered or never processed.

57. While white and Hispanic officers who complied with CASTILLO's directives were rewarded with favorable assignments, overtime opportunities, and promotions, the Plaintiff was treated with suspicion, isolated from key decisions, and stripped of his authority as a leader. His efforts to challenge selective enforcement practices were met with hostility, as CASTILLO, PERALTA, DISANTO, and CRUZ sought to discredit him and diminish his ability to carry out his duties effectively.

58. On multiple occasions, James Caban physically visited the 34th Precinct and intentionally misrepresented himself as his twin brother, Defendant CABAN. This was done to

exert influence over precinct operations, reinforce his authority, and protect his interests.

CASTILLO and his subordinates, including DISANTO and CRUZ, facilitated this deception,

allowing officers to believe that orders were coming from the Police Commissioner himself.

Officers who questioned these directives were ignored, while those who complied were rewarded with professional favors.

59. Despite numerous reports of crime, excessive noise complaints, and public disturbances at these locations, CASTILLO and DISANTO instructed officers to immediately close out all 311 complaints related to these businesses without responding. Any attempt to take legitimate enforcement action was met with swift interference, with CASTILLO and his associates making it clear that certain businesses were off-limits to police oversight. The Plaintiff witnessed this obstruction of justice and objected to it, raising concerns that the precinct was being used to further the private interests of politically connected individuals rather than serve the community.

60. When the Plaintiff, a Black Jamaican male, challenged these unlawful practices, CASTILLO dismissed his concerns and repeatedly reminded him that he needed to “fall in line” and “be a team player.” This messaging reflected the longstanding racial and cultural biases within the NYPD, where Black and Caribbean officers were expected to remain silent and accept discriminatory treatment rather than assert their authority or demand accountability.

61. DISANTO reinforced this stance, openly stating that he and CASTILLO ran the precinct “like the mafia” and that anyone who did not follow their directives would be dealt with. These statements were intended to intimidate the Plaintiff, particularly as a Black Jamaican male in a position of authority, and force him into submission. The underlying implication was clear—

officers like the Plaintiff were not welcome in leadership roles unless they conformed to the corrupt culture established within the precinct.

62. The Plaintiff further alleges that CASTILLO engaged in these acts of corruption with the expectation that he would be rewarded with a promotion by Defendant CABAN. CASTILLO ensured that DISANTO would receive a discretionary promotion to Lieutenant Special Assignment as a reward for his role in selective enforcement and corruption. However, despite CASTILLO's loyalty and efforts to protect the interests of the former Police Commissioner's twin brother, CASTILLO himself was ultimately passed over for promotion. This perceived betrayal only fueled CASTILLO's resentment, causing him to intensify his retaliatory actions against the Plaintiff.

63. The Plaintiff asserts that his race (Black), national origin (Jamaican), and gender (male) played a direct role in how his objections to misconduct were handled and in the level of hostility he faced. Officers of other races and national origins who questioned enforcement practices or raised concerns about corruption were not subjected to the same level of retaliation or career sabotage. The Plaintiff's professional credibility was deliberately undermined, his authority was diminished, and his career advancement was blocked—all in retaliation for speaking out against corruption and because of his race and national origin.

64. While non-Black and non-Jamaican officers who complied with CASTILLO's orders were given opportunities to advance, the Plaintiff was systematically excluded from professional development opportunities, targeted for retaliatory actions, and denied the same protections afforded to his white and Hispanic colleagues. His mere presence as a Black Jamaican male in a leadership role was perceived as a threat to Castillo's control, which made him a prime target for retaliation.

65. Rather than upholding the law, CASTILLO, PERALTA, DISANTO, and CRUZ turned the 34th Precinct into a tool for political and financial gain, actively obstructing police enforcement for the benefit of connected individuals while retaliating against officers who sought to uphold their oath to serve the public. The Plaintiff's commitment to lawfulness and ethical policing put him in direct conflict with CASTILLO and his associates, leading to targeted retaliation intended to force him out of his position and silence his objections.

66. The Plaintiff's experience reflects the broader racial and national origin-based discrimination that exists within the NYPD, where Black and Jamaican officers face systemic barriers to leadership, are subjected to harsher treatment, and are denied the same professional opportunities as their non-Black counterparts. His treatment was not just a result of speaking out—it was a direct result of being a Black Jamaican male officer who refused to stay silent in the face of corruption.

Abuse of Overtime and Special Assignments [January 2023 – September 2024]

67. As part of the widespread corruption and abuse of power within the 34th Precinct, Defendants CASTILLO, PERALTA, DISANTO, and CRUZ manipulated overtime assignments and special duty designations to benefit themselves and their favored subordinates financially. This misuse of resources came at the expense of officers who were not part of their inner circle and served as a means to reward loyalty while punishing those who refused to comply with their misconduct. However, these abuses were not carried out in an equal manner; race (Black), national origin (Jamaican), and gender (male) played a direct role in how the Plaintiff was systematically excluded from opportunities. At the same time, less qualified, non-Black, and non-Jamaican officers were enriched through fraudulent overtime schemes.

68. The Plaintiff alleges that Defendant CASTILLO ensured that Defendant DISANTO and his driver, Police Officer Vincent G. Bracco (Shield No.: 26344, Tax Registry No.: 966969), received no less than 40 hours of overtime per month despite questionable or nonexistent assignments. These excessive overtime payments were not based on operational needs but were financial favors to those who supported Defendant CASTILLO's control over the precinct and followed his corrupt directives. Officers who were part of Defendant CASTILLO's inner circle—all of whom were non-Black and non-Jamaican—were routinely granted excessive overtime. At the same time, the Plaintiff was deliberately excluded from the same financial benefits.

69. Overtime codes intended for official deployments, particularly those designated for Israeli protest-related police presence, were systematically abused to inflate the earnings of Defendant DISANTO and Bracco. These officers were often granted overtime without performing any legitimate law enforcement duties, instead using department payroll systems to fraudulently claim compensation for work that was never completed. This fraudulent activity was carried out with Defendant CASTILLO's full knowledge and approval.

70. As a Black Jamaican male lieutenant, the Plaintiff was not afforded the same access to overtime opportunities as non-Black officers, despite his seniority, rank, and experience. Instead, Defendants CASTILLO, PERALTA, and CRUZ ensured that overtime assignments were funneled to white and Hispanic officers, reinforcing a system of financial favoritism and racial exclusion within the precinct.

71. In return for his unwavering loyalty and willingness to participate in corruption, Defendant DISANTO was awarded a discretionary promotion to Lieutenant Special Assignment. This promotion was secured not through merit, performance, or leadership ability but as a direct

reward for his role in enabling Defendant CASTILLO's selective enforcement practices and financial misconduct. However, despite Defendant CASTILLO's efforts to secure his promotion through similar corrupt dealings, he was ultimately not promoted. This perceived betrayal deepened Defendant CASTILLO's resentment toward the Plaintiff and further intensified his retaliatory actions.

72. Defendants' CASTILLO, PERALTA, DISANTO, and CRUZ continued exploiting the department's overtime system for their gain, so they used overtime restrictions as a weapon against the Plaintiff. Defendant CASTILLO directly ordered Defendant CRUZ not to approve any overtime for the Plaintiff, retaliating against him for raising concerns about misconduct. When the Plaintiff sought overtime opportunities, Defendant CRUZ explicitly stated that he could only receive overtime with Defendant CASTILLO's approval. This restriction was imposed selectively and intended to punish him for refusing to engage in corrupt practices.

73. The exclusion of the Plaintiff from overtime assignments was not based on department policy but instead on Defendant CASTILLO's need to assert control and retaliate against a Black Jamaican lieutenant who refused to submit to his corrupt authority. While less qualified and lower-ranked white and Hispanic officers were awarded overtime bonuses, the Plaintiff was deliberately shut out from financial opportunities solely because of his race, national origin, and unwillingness to compromise his integrity.

74. Throughout this period, the Plaintiff refrained from reporting these fraudulent activities to the Internal Affairs Bureau, the Department of Investigation, or other oversight agencies due to the well-documented culture of retaliation within the NYPD. Officers who reported financial fraud, misconduct, or corruption routinely faced severe career consequences, including targeted harassment, false disciplinary actions, and even threats to their safety. The

Plaintiff understood that exposing the misuse of overtime funds would jeopardize his career and place him at risk of further retaliation from Defendants CASTILLO, PERALTA, DISANTO, and CRUZ.

75. Rather than being held accountable for their actions, Defendant CASTILLO and his associates were allowed to manipulate department resources for personal and financial gain. At the same time, Black and Jamaican officers who attempted to challenge these fraudulent practices were systematically excluded from opportunities and subjected to workplace hostility. Defendant CASTILLO's control over overtime distribution ensured that white and Hispanic officers who complied with his directives were financially rewarded. In contrast, Black and Jamaican officers, such as the Plaintiff, were targeted and financially punished.

76. The Plaintiff's exclusion from overtime and retaliatory restrictions were financial and meant to send a message—that any Black or Jamaican officer who questioned Defendant CASTILLO's misconduct would suffer professional consequences, including economic deprivation and career sabotage. The deliberate denial of overtime to the Plaintiff was yet another form of racial, national origin, and gender-based discrimination, reinforcing Defendant CASTILLO's ability to manipulate precinct operations without oversight or accountability.

Retaliation and Hostile Work Environment [January 2023 – September 2024]

77. Defendants CASTILLO, PERALTA, DISANTO, and CRUZ orchestrated a sustained campaign of retaliation and workplace hostility against the Plaintiff. These retaliatory actions were taken in direct response to the Plaintiff's refusal to participate in corruption, objections to selective enforcement, and insistence on adhering to department policies and the law. However, his treatment was further exacerbated by impermissible considerations of his race

(Black), national origin (Jamaican), and gender (male), which directly influenced how he was targeted and undermined in his role.

78. As a Black Jamaican male in a leadership position, the Plaintiff faced heightened scrutiny and resistance from Defendant CASTILLO and his associates, who viewed him as an outsider who did not conform to their internal power structure. The Plaintiff was routinely treated with disrespect, subjected to racial and national origin-based microaggressions, and denied the same deference and authority granted to his non-Black and non-Jamaican counterparts in similar positions. His race and national origin made him an immediate target for exclusion, hostility, and isolation, as Defendants CASTILLO, PERALTA, DISANTO, and CRUZ worked collectively to discredit his authority, obstruct his efforts to enforce departmental policies, and set him up for failure.

79. In January 2024, while the Plaintiff was out sick due to a medical condition, Defendant CASTILLO called him and launched into a profanity-laced tirade, accusing him of “fucking him over” by going sick and missing a meeting called by former Chief of Department Jeffrey B. Maddrey. Defendant CASTILLO continued to harass the Plaintiff throughout his medical leave, repeatedly calling to question how long he would be out and accusing him of “playing sick.” Despite the Plaintiff’s legitimate health condition, Defendant CASTILLO pressured him to return to work prematurely and expressed his anger over the Plaintiff’s absence, prioritizing his interests over the well-being of his personnel.

80. Defendant CASTILLO’s aggressive and demeaning treatment of the Plaintiff was not consistent with how similarly situated non-Black, non-Jamaican, or female officers were treated under similar circumstances. While other officers, particularly those within CASTILLO’s inner circle, were permitted to take medical leave without harassment, the Plaintiff was berated,

pressured, and accused of malingering. This double standard highlighted the racial and national origin-based bias in Castillo's leadership, where Black and Jamaican officers were presumed to be untrustworthy, unreliable, and undeserving of professional courtesy.

81. During this period, Defendants CASTILLO and DISANTO regularly referred to themselves as "the mafia," clarifying that loyalty to them was not optional, and that defying their orders would have severe consequences. Defendants CASTILLO and DISANTO openly stated that if one of them had a problem with the Plaintiff, the entire "family" had a problem with him. These statements were not made in jest; they were intended to instill fear and reinforce the power dynamic they had created within the 34th Precinct.

82. While the Plaintiff was on medical leave, Defendant CASTILLO insisted that he work from home despite his condition. When the Plaintiff refused to comply with this unreasonable and retaliatory demand, Defendant CASTILLO became enraged, resorting to threats and profanity. On multiple occasions, the Plaintiff's 10-year-old child overheard Defendant CASTILLO's aggressive and threatening behavior, leaving a lasting emotional impact on the Plaintiff's family.

83. Even after the Plaintiff was placed on restricted duty, Defendant CASTILLO continued his campaign of retaliation by contacting his new command at the Manhattan Court Section and making disparaging remarks about his character. Defendant CASTILLO took deliberate steps to damage the Plaintiff's reputation within the department, warning others not to extend him any professional courtesies and ensuring his career opportunities were further limited.

84. Defendant CASTILLO repeatedly reminded the Plaintiff that he would soon be promoted to chief and that no one would believe any accusations against him. This statement was

intended to intimidate the Plaintiff and reinforce Defendant CASTILLO's belief that he was untouchable due to his connections within the department.

85. Defendants PERALTA and CRUZ also retaliated against the Plaintiff for refusing to comply with Defendant CASTILLO's directives. Defendant PERALTA threatened the Plaintiff with suspension if he did not follow Defendant CASTILLO's unlawful orders. Defendants PERALTA and CRUZ ensured that the Plaintiff was excluded from overtime assignments, denied opportunities for professional advancement, and subjected to increased scrutiny compared to his colleagues.

86. As a Black Jamaican male officer, the Plaintiff was held to a different standard than his non-Black and non-Jamaican colleagues. His authority was routinely challenged, his decisions were questioned in ways that did not happen to similarly situated white or Hispanic officers, and he was deliberately excluded from key discussions and decision-making processes within the command. Defendants CASTILLO, PERALTA, DISANTO, and CRUZ's treatment of the Plaintiff reflected racial and national origin-based bias, as he was consistently denied the same level of professional respect and deference afforded to white and Hispanic officers in comparable leadership positions.

87. Defendant CASTILLO assigned the Plaintiff meaningless administrative tasks and instructed him to disregard or delay orders from Patrol Borough Manhattan North (PBMN) Inspection Commanding Officer Charlie A. Bello. When the Plaintiff followed Defendant CASTILLO's instructions and did not carry out specific assignments, Defendant CASTILLO falsely reported to Inspector Bello that he failed to complete his duties. This deliberate act of retaliation was intended to create a false record of poor performance and justify further punitive actions against the Plaintiff.

88. Defendant CASTILLO reassigned the Plaintiff to the midnight shift as further punishment for objecting to the corruption and selective enforcement within the precinct, designed to disrupt his work-life balance and make his job more difficult. Defendant CASTILLO knew this reassignment would make it harder for the Plaintiff to pursue professional development opportunities, further isolating him within the department. This retaliatory reassignment was consistent with a pattern of punishing Black and Jamaican officers through undesirable assignments while allowing non-Black officers to avoid similar consequences.

89. The Plaintiff met with Defendant CASTILLO weekly on Thursdays to discuss the administrative and operational needs of the command. During these meetings, the Plaintiff raised concerns about the preferential treatment of certain officers, including those assigned to Defendant DISANTO, such as those working in the domestic violence unit, conditions unit, and Neighborhood Safety Team (NST). These officers were routinely given preferential treatment, including leniency in disciplinary matters, extended vacation time, and impunity to misuse department resources. Defendants CASTILLO and DISANTO repeatedly dismissed the Plaintiff's objections and threatened to end his career if he continued to challenge their misconduct.

90. The Plaintiff also witnessed officers assigned to Defendant DISANTO's units engaging in civil rights violations, including illegal searches and improper use of body-worn cameras. When the Plaintiff Party raised concerns about these violations, Defendant CASTILLO instructed him to "handle it internally" or ignore the misconduct. Officers who followed department policies and attempted to enforce accountability were reprimanded, while those aligned with Defendants CASTILLO and DISANTO were shielded from disciplinary action.

91. Despite the Plaintiff's official responsibilities as Integrity Control Officer, he was prevented from taking meaningful action against misconduct. Defendants CASTILLO, PERALTA, DISANTO, and CRUZ created a hostile work environment where the Plaintiff's role was undermined, his objections were ignored, and his attempts to enforce accountability were retaliated. Rather than upholding the standards of the NYPD, these officers ensured that misconduct was tolerated and protected, while officers who refused to comply with their corruption were punished.

92. The Plaintiff's race, national origin, and gender played a direct role in how he was treated, how his authority was undermined, and how his career was sabotaged. His experience aligns with a broader pattern of discrimination within the NYPD, where Black and Jamaican officers are subjected to harsher treatment, greater scrutiny, and fewer opportunities for advancement than their non-Black and non-Jamaican counterparts. The hostility and retaliation he endured were not just acts of personal animosity but rather a calculated effort to remove a Black Jamaican male officer from a position of authority and silence his objections to corruption.

Sexual Misconduct and Cover-Ups [January 2023 – September 2024]

93. As part of the broader pattern of corruption and selective enforcement within the 34th Precinct, Defendant DISANTO engaged in an inappropriate sexual relationship with Defendant CHRISTINA ORTIZ (Tax Registry No.: 941829) inside precinct offices. Their relationship directly affected the functioning of the department, as Defendant ORTIZ frequently abandoned her official duties to spend extended periods with Defendant DISANTO, often in the Domestic Violence Office and the Commanding Officer's Office. These encounters were so blatant that physical evidence, including broken nails, was left behind, reinforcing how openly this misconduct was occurring.

94. Defendant CASTILLO was fully aware of Defendant DISANTO’s sexual relationship with Defendant ORTIZ but refused to take disciplinary action because Defendant DISANTO was part of his inner circle—the so-called “family.” The Plaintiff observed that Defendant CASTILLO deliberately shielded Defendant DISANTO from consequences, demonstrating that department rules were selectively enforced based on personal relationships rather than professional accountability.

95. Despite her official role, Defendant ORTIZ routinely neglected her duties as a Domestic Violence Sergeant to spend time “entertaining” Defendant DISANTO. This conduct directly undermined public trust and the proper handling of domestic violence cases within the precinct. Yet, Defendants CASTILLO, PERALTA, and CRUZ actively enabled Defendant ORTIZ’s misconduct by ensuring she was never disciplined, reassigned, or held accountable.

96. However, the way Defendant CASTILLO and his associates handled Defendant ORTIZ’s misconduct contrasted starkly with how they treated the Plaintiff, a Black Jamaican male lieutenant. While Defendant ORTIZ, a Hispanic female, was protected and given leeway to abandon her responsibilities without repercussions, the Plaintiff was subjected to increased scrutiny, retaliatory measures, and professional sabotage for carrying out his duties ethically and refusing to ignore misconduct.

97. In September 2023, Defendant CASTILLO removed the Plaintiff from the Integrity Control Officer (ICO) role after he repeatedly raised concerns about corruption, selective enforcement, and serious misconduct occurring within the command, including the inappropriate sexual relationship between Defendants DISANTO and ORTIZ. The Plaintiff’s willingness to uphold department policies and report violations placed him in direct conflict with

Defendant CASTILLO, PERALTA, DISANTO, and CRUZ, who sought to eliminate any challenge to their control.

98. After being removed from his position, the Plaintiff was subjected to heightened retaliation through increased scrutiny, unjustified negative performance evaluations, denials of transfer requests, and repeated obstacles when requesting vacation time. These punitive actions were not applied to similarly situated non-Black, non-Jamaican, or female officers, reinforcing the racial, national origin, and gender bias in how discipline and opportunities were handled within the precinct.

99. The pattern of unequal treatment and weaponization of misconduct investigations against the Plaintiff escalated when Defendants CASTILLO, PERALTA, and CRUZ falsely claimed that he was unstable and improperly placed him on restricted duty status, ordering him to report to the Psychological Services Unit. This false narrative of instability is a well-documented tactic used against Black and Caribbean officers within the NYPD to discredit them, create a pretext for removing them from leadership positions, and justify retaliation.

100. While white and Hispanic officers within Defendant CASTILLO's circle engaged in open misconduct, including sexual relationships on duty, fraudulent overtime claims, and selective law enforcement without consequence, the Plaintiff was targeted for fabricated mental health concerns simply because he refused to participate in corruption. This racial and national origin-based weaponization of mental health evaluations has historically been used within the NYPD to remove Black and Caribbean officers who challenge authority or refuse to be complicit in misconduct.

101. The Plaintiff's experience exemplifies how race, national origin, and gender directly influenced how discipline, promotions, and career advancement opportunities were

selectively applied within the 34th Precinct. While white and Hispanic officers who engaged in unethical conduct were protected and promoted, a Black Jamaican male lieutenant who sought to enforce department policies was punished, removed from his leadership role, and falsely deemed unfit for duty.

102. This pattern of racial and gender bias, selective enforcement of department rules, and targeted retaliation illustrate a broader culture of discrimination and corruption within the NYPD, where officers who do not fit the mold of the department's leadership structure are systematically excluded, discredited, and forced out.

Fraudulent Activity and Financial Misconduct [January 2023 – September 2024]

103. As part of the broader corruption and abuse of power within the 34th Precinct, Defendant CASTILLO engaged in financial misconduct by improperly using his department vehicle for personal gain, including traveling to off-duty paid security details. This blatant misuse of department resources was a violation of NYPD policy and an abuse of his authority. Yet, no disciplinary action was taken against him because of his rank, connections, and the culture of selective enforcement he had cultivated within the precinct.

104. In multiple instances, Defendant CASTILLO fraudulently sought payment for off-duty security details for which he was not even present. This financial misconduct was widely known within the precinct but deliberately ignored, as officers aligned with Defendant CASTILLO's inner circle were protected from consequences, while others were closely monitored and held to stricter standards.

105. However, the manner in which Defendant CASTILLO's misconduct was tolerated starkly contrasted with how the Plaintiff, a Black Jamaican male lieutenant, was treated when performing his responsibilities ethically.

106. While Defendant CASTILLO freely engaged in fraudulent activity without scrutiny or oversight, the Plaintiff was systematically subjected to heightened surveillance, professional obstruction, and retaliation for simply attempting to carry out his duties lawfully. The disparity in treatment reflects a long-standing pattern of racial, national origin, and gender bias within the NYPD, where Black and Jamaican officers are subjected to greater scrutiny, more severe punishment, and fewer opportunities for career advancement than their non-Black counterparts.

107. Unlike Defendant CASTILLO, who was allowed to engage in financial fraud with impunity, the Plaintiff was relentlessly targeted, removed from his leadership role, falsely labeled unstable, and placed on restricted duty simply for refusing to comply with unethical directives. His race and national origin played a direct role in how he was treated, as similarly situated white and Hispanic officers were given the freedom to engage in corrupt practices without fear of repercussions, while the Plaintiff was punished simply for upholding department standards.

108. The Plaintiff's experience highlights how financial misconduct within the NYPD is not only tolerated but also selectively enforced based on race, national origin, and gender. Officers within Defendant CASTILLO's network, particularly non-Black officers, were allowed to profit from fraudulent activities without accountability, while the Plaintiff faced retaliation for his integrity and commitment to ethical policing.

109. The Plaintiff's removal from leadership and retaliatory placement on restricted duty was not due to poor performance or legitimate concerns—it was a calculated effort to remove a Black Jamaican male officer who refused to comply with corruption and expose the double standards that protected white and Hispanic officers from scrutiny.

110. This systemic discrimination and retaliation reflect a broader culture of racial exclusion and financial misconduct within the NYPD, where Black and Caribbean officers are denied the same privileges and professional latitude afforded to their non-Black counterparts, reinforcing a pattern of racial and national origin-based disparity within the department.

Unexplained and Retaliatory Prolonged Restriction to Restricted Duty Status

111. Despite meeting all department requirements for return to full duty, the Plaintiff, a Black Jamaican male lieutenant, has been unjustly and indefinitely kept on Restricted Duty Status without any legitimate explanation or justification. His prolonged restriction is not based on performance, mental fitness, or department policy but rather is a direct result of targeted retaliation and systemic discrimination based on his race, national origin, and gender.

112. Unlike white and Hispanic officers in similar positions, who were granted due process and allowed to return to full duty following investigations or administrative reviews, the Plaintiff has been singled out, sidelined, and deliberately prevented from resuming his career. This restriction has been strategically weaponized to suppress his professional advancement, diminish his earning potential, and tarnish his reputation within the NYPD.

113. The Plaintiff's prolonged placement on restricted duty is a direct consequence of his refusal to participate in corruption, his insistence on holding fellow officers accountable, and his formal complaints regarding misconduct and discrimination within the 34th Precinct. His removal from active duty serves no operational purpose; instead, it is a punitive measure designed to send a message that Black Jamaican male officers who refuse to comply with unethical practices will be silenced and pushed out of leadership positions.

114. Defendants CASTILLO, PERALTA, DISANTO, and CRUZ with the support of Defendant CABAN have actively used this restriction as a means of retaliation, ensuring that the

Charging Party remains diminished, subordinate, and unable to challenge the department's corrupt practices.

115. Despite multiple attempts to clarify his status, the Plaintiff's requests have been ignored.

116. For nearly a year, Plaintiff remained on Restricted Duty status without explanation, despite meeting all qualifications and departmental requirements for reinstatement. Throughout this period, no timeline was provided, and no valid reason was ever articulated by the NYPD to justify his continued restriction, even as similarly situated non-Black and non-Jamaican officers were reinstated without delay following medical or administrative evaluations.

117. This prolonged and unexplained restriction is consistent with broader patterns of racially and nationally motivated exclusion within the NYPD, where Black and Caribbean officers are disproportionately subjected to heightened scrutiny, more severe disciplinary measures, and indefinite sidelining. Plaintiff's case is not an isolated incident—it is emblematic of an institutionalized system that systematically limits the advancement and contributions of Black and Jamaican officers who refuse to conform to corrupt or discriminatory practices.

118. By intentionally keeping Plaintiff on restricted duty without cause, findings, or procedural transparency, Defendants CASTILLO, PERALTA, DISANTO, and CRUZ through Defendant CABAN weaponized their authority to silence, punish, and professionally suppress Plaintiff in retaliation for exposing misconduct. Their actions reinforced a discriminatory and retaliatory command structure that protects favored officers while marginalizing those who challenge abuse.

119. Plaintiff's continued restriction constituted a blatant abuse of authority, and a violation of his rights under federal, state, and local anti-discrimination laws. The restriction

imposed material and reputational harm, while further entrenching structural barriers that hinder equal opportunity for Black and Caribbean officers within the Department.

120. On February 13, 2025, Plaintiff filed a formal Charge of Discrimination with the U.S. Equal Employment Opportunity Commission (Charge No. 520-2025-3104). Two days later, on February 15, 2025, Plaintiff spoke publicly about his experience in an interview with the New York Post, which published an article outlining his allegations of retaliation, discrimination, and misconduct within the 34th Precinct and NYPD leadership.

121. Within days of the EEOC filing and public disclosure, the NYPD abruptly notified Plaintiff that he was being restored to Full Duty status. Prior to this reversal, Plaintiff had been required to report for psychological evaluations for nearly a year, despite there being no formal findings, diagnoses, or basis for the imposed restrictions. At no point during that period did any Department official provide Plaintiff with an explanation for his continued placement on restricted status, nor any opportunity for appeal or review.

122. The Department's sudden restoration of full-duty privileges immediately following the filing of an EEOC charge and press coverage demonstrates retaliatory motive, lack of procedural justification, and a broader effort to suppress whistleblowers until their allegations become public. Rather than correct an internal wrong through fair process, the NYPD acted only in response to external pressure—further illustrating the discriminatory and retaliatory intent underlying Plaintiff's treatment.

Retaliation Through Weaponized Legal and Departmental Processes

123. On February 13, 2025, Plaintiff filed a formal Charge of Discrimination with the U.S. Equal Employment Opportunity Commission (EEOC), Charge No. 520-2025-3104, alleging systemic race and national origin discrimination, a hostile work environment, and retaliatory

exclusion within the New York City Police Department, particularly under the supervision of Defendant CASTILLO and his senior staff at the 34th Precinct.

124. Just two days later, on February 15, 2025, Plaintiff participated in a high-profile interview with the *New York Post*, where he publicly described his experience with discrimination, psychological targeting, and the NYPD's pattern of protecting favored officers while marginalizing Black and Caribbean officers like himself. The article received wide circulation across NYPD personnel and public platforms.

125. Within days of the EEOC filing and media exposure, Plaintiff was abruptly notified that he was being restored to Full Duty status after nearly a year of unexplained restriction and psychological evaluation—despite having previously received no justification for his restricted duty or psychological review.

126. On February 19, 2025—just four days after the *New York Post* article and six days after his EEOC charge—Defendant ORTIZ filed a civil lawsuit in the Supreme Court of the State of New York, County of New York, against the Plaintiff, alleging gender discrimination, hostile work environment, and defamation.

127. Upon information and belief, Defendant ORTIZ's lawsuit was filed in direct retaliation for Plaintiff's protected activity, including the EEOC filing and public disclosure of systemic misconduct. The timing of the lawsuit, its content, and the baseless nature of its claims indicate a retaliatory intent to silence, intimidate, and discredit the Plaintiff.

128. Notably, Defendant ORTIZ's complaint recycles disproven and defamatory allegations about Plaintiff's personal conduct, including claims of a sexual relationship between other supervisors, which she attributes to Plaintiff without substantiation. These statements

mirror false narratives circulated internally in response to Plaintiff's prior whistleblowing and disciplinary advocacy.

129. The ORTIZ litigation was designed not to redress any legitimate harm, but rather to retaliate against Plaintiff for lawfully exercising his rights under Title VII, the Civil Rights Act of 1871, 42 U.S.C. § 1983, the NYSHRL, and NYCHRL. The complaint's filing was calculated to stigmatize and undermine the credibility of a Black, Jamaican-born officer who had just gone public with detailed allegations of institutional discrimination and retaliation.

130. The retaliatory intent is further evidenced by the fact that Defendant ORTIZ was herself promoted and transferred into Internal Affairs—a unit directly involved in monitoring officer conduct—despite her filing claims of emotional distress, defamation, and a hostile work environment only weeks earlier. This internal inconsistency supports the inference that her lawsuit is part of a retaliatory campaign coordinated or condoned by senior NYPD officials to protect the precinct's leadership and deter further protected activity by Plaintiff.

131. Plaintiff seeks compensatory, emotional distress, and punitive damages for this retaliatory use of civil litigation as a weapon of institutional retaliation, as well as declaratory relief recognizing this action as a violation of his rights under federal, state, and local anti-retaliation laws.

132. Despite being named in Plaintiff's formal EEOC Charge for engaging in on-duty sexual misconduct and abandoning her responsibilities, Defendant ORTIZ was never interviewed, investigated, or disciplined by the NYPD. Instead, she was permitted to file an internal discrimination complaint against Plaintiff through departmental channels, the contents of which mirrored the retaliatory narrative in her civil lawsuit. Upon information and belief, the Department accepted her complaint without conducting any review of the timing, context, or

overlap with Plaintiff's EEOC-protected disclosures. This unequal treatment—where Defendant ORTIZ was allowed to weaponize internal complaint procedures to retaliate, while Plaintiff's claims were ignored or punished—further demonstrates the NYPD's institutional role in facilitating and condoning retaliation.

133. The Department's failure to meaningfully scrutinize Defendant ORTIZ's internal complaint, while simultaneously maintaining Plaintiff on psychological review, reinforces a discriminatory and retaliatory culture where officers aligned with corrupt leadership are protected, and whistleblowers are suppressed. Defendant ORTIZ's promotion into the Internal Affairs Bureau after filing her complaint further suggests official endorsement of her retaliatory conduct.

VIOLATIONS AND CLAIMS ALLEGED

FIRST CAUSE OF ACTION

Race Discrimination in Violation of the New York State Human Rights Law (N.Y. Exec. Law § 296(1)(a))

134. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

135. At all relevant times, Plaintiff was a member of a protected class under the NYSHRL on account of his race as a Black male.

136. Defendant THE CITY OF NEW YORK, through its agents and employees, including but not limited to Defendants EDWARD A. CABAN, ANEUDY CASTILLO, ERICKSON PERALTA, MICHAEL J. DISANTO, JONATHAN CRUZ, and CHRISTINA ORTIZ discriminated against Plaintiff in the terms, conditions, and privileges of his employment based on race.

137. Plaintiff was excluded from overtime opportunities, removed from his Integrity Control Officer role, referred for psychological review without cause, and subjected to disparate discipline compared to non-Black officers.

138. Defendant THE CITY OF NEW YORK is liable for the acts of its employees under the doctrines of respondeat superior, agency, and direct employer liability.

139. As a direct and proximate result of Defendants' unlawful conduct, Plaintiff has suffered and continues to suffer economic loss, reputational harm, emotional distress, and other compensable damages.

SECOND CAUSE OF ACTION
Gender Discrimination in Violation of the New York State Human Rights Law
(N.Y. Exec. Law § 296(1)(a))

140. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

141. Plaintiff is a male employee and therefore a member of a protected class under the NYSHRL.

142. Defendant THE CITY OF NEW YORK, through its agents and employees, including but not limited to Defendants EDWARD A. CABAN, ANEUDY CASTILLO, ERICKSON PERALTA, MICHAEL J. DISANTO, JONATHAN CRUZ, and CHRISTINA ORTIZ, discriminated against Plaintiff based on gender.

143. While Plaintiff was punished for reporting misconduct, female officers—specifically Defendant ORTIZ—were shielded from discipline, protected by leadership, and rewarded with promotions despite serious misconduct.

144. Defendant THE CITY OF NEW YORK is liable under theories of agency, direct liability, and failure to enforce nondiscrimination policies.

145. As a result of Defendants' discriminatory acts, Plaintiff suffered loss of income, emotional trauma, reputational harm, and other damages.

THIRD CAUSE OF ACTION
Hostile Work Environment in Violation of the New York State Human Rights Law
(N.Y. Exec. Law § 296)

146. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

147. Defendant THE CITY OF NEW YORK, by and through its agents and employees, including but not limited to Defendants EDWARD A. CABAN, ANEUDY CASTILLO, ERICKSON PERALTA, MICHAEL J. DISANTO, JONATHAN CRUZ, and CHRISTINA ORTIZ, subjected Plaintiff to a hostile work environment based on his race, gender, and national origin (Jamaican), in violation of the New York State Human Rights Law.

148. Plaintiff was repeatedly excluded from meetings and assignments, denied overtime, subjected to an unjustified psychological referral, stripped of authority, and forced to endure ongoing threats and retaliation—all of which were intended to isolate, marginalize, and silence him.

149. Defendant CABAN, as Police Commissioner, had final authority over Plaintiff's duty status, psychological evaluation, and NYPD disciplinary oversight. Despite having knowledge of the retaliatory and discriminatory conduct through internal reports and public disclosures, he failed to intervene, investigate, or discipline the involved supervisors.

150. The actions of Defendants were sufficiently severe and pervasive to create an intimidating, hostile, and abusive working environment for Plaintiff.

151. THE CITY OF NEW YORK is liable for the hostile work environment perpetuated by its officers under the doctrines of agency, direct employer liability, and failure to act.

152. As a direct and proximate result, Plaintiff has suffered emotional distress, reputational injury, and loss of professional standing.

FOURTH CAUSE OF ACTION
Retaliation in Violation of the New York State Human Rights Law
(N.Y. Exec. Law § 296(7))

153. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

154. Plaintiff engaged in protected activity under the NYSHRL, including opposing discriminatory practices, reporting official misconduct, and filing EEOC Charge No. 520-2025-3104.

155. Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, ANEUDY CASTILLO, ERICKSON PERALTA, MICHAEL J. DISANTO, JONATHAN CRUZ, and CHRISTINA ORTIZ retaliated against Plaintiff by restricting his duty status, subjecting him to unnecessary psychological review, removing him from leadership assignments, denying him overtime, and allowing retaliatory complaints and lawsuits to proceed unchallenged.

156. Defendant CABAN, in his capacity as Police Commissioner, knew or should have known about the retaliatory conduct following Plaintiff's protected activity and took no steps to halt or reverse it. He instead ratified the adverse employment actions by failing to restore Plaintiff to full duty until after external media scrutiny.

157. These retaliatory acts were motivated by Plaintiff's engagement in protected activity and violated the NYSHRL.

158. As a result, Plaintiff suffered economic loss, emotional distress, and ongoing reputational damage.

FIFTH CAUSE OF ACTION
Retaliation by THE CITY OF NEW YORK and Defendant CHRISTINA ORTIZ for
Protected Activity
(N.Y. Exec. Law § 296(7))

159. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

160. On February 13, 2025, Plaintiff engaged in protected activity within the meaning of the NYSHRL by filing EEOC Charge No. 520-2025-3104, alleging discrimination, hostile work environment, and retaliation by the NYPD. On February 15, 2025, Plaintiff publicly expanded on these allegations during an interview with the *New York Post*.

161. In direct response to this protected activity, on or about February 19, 2025, Defendant CHRISTINA ORTIZ filed a retaliatory civil complaint in New York County Supreme Court and simultaneously submitted an internal discrimination complaint against Plaintiff within the NYPD.

162. Defendant THE CITY OF NEW YORK, despite being aware of both Plaintiff's EEOC charge and the retaliatory nature of Defendant ORTIZ's filings, failed to conduct any meaningful review or investigation of her claims and instead continued to promote her into a high-level Internal Affairs assignment.

163. Defendant THE CITY OF NEW YORK, acting through its senior officials, knowingly permitted the use of internal departmental complaint procedures and public litigation as tools of retaliation against a whistleblower, thereby acquiescing in and perpetuating an unlawful retaliatory campaign.

164. The conduct of Defendants ORTIZ and THE CITY OF NEW YORK constitutes unlawful retaliation in violation of N.Y. Exec. Law § 296(7), and has caused Plaintiff substantial reputational damage, emotional distress, career disruption, and other compensable harm.

SIXTH CAUSE OF ACTION
Race Discrimination in Violation of the New York City Human Rights Law
(N.Y.C. Admin. Code § 8-107(1)(a))

165. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

166. At all relevant times, Plaintiff was a member of a protected class under the NYCHRL by virtue of his race as a Black man.

167. Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, ANEUDY CASTILLO, ERICKSON PERALTA, MICHAEL J. DISANTO, JONATHAN CRUZ, and CHRISTINA ORTIZ treated Plaintiff less well than similarly situated non-Black employees in the terms, conditions, and privileges of his employment.

168. Defendants subjected Plaintiff to exclusion from decision-making, targeted psychological review, denial of overtime, reputational harm, and retaliatory reassignment—all while non-Black officers engaged in similar or more serious conduct were rewarded or left undisciplined.

169. The NYCHRL prohibits any form of unequal treatment based on race, regardless of whether the conduct is severe or pervasive.

170. As a direct and proximate result of Defendants' race-based differential treatment, Plaintiff suffered loss of professional standing, emotional distress, and diminished career advancement.

SEVENTH CAUSE OF ACTION
Gender Discrimination in Violation of the New York City Human Rights Law
(N.Y.C. Admin. Code § 8-107(1)(a))

171. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

172. At all relevant times, Plaintiff was a member of a protected class under the NYCHRL by virtue of his gender as a male.

173. Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, ANEUDY CASTILLO, ERICKSON PERALTA, MICHAEL J. DISANTO, JONATHAN CRUZ, and CHRISTINA ORTIZ treated Plaintiff less well than similarly situated female officers.

174. Plaintiff was disciplined and removed from his leadership role for reporting workplace misconduct and violations of NYPD policy, while Defendant ORTIZ and other female officers who engaged in on-duty sexual activity, dereliction of duty, and insubordination were protected, rewarded, and promoted.

175. This disparity in discipline, opportunity, and treatment constitutes unlawful gender discrimination under the NYCHRL's "treated less well" standard.

176. As a direct result, Plaintiff suffered economic loss, emotional pain, reputational harm, and professional exclusion.

EIGHTH CAUSE OF ACTION
Hostile Work Environment in Violation of the New York City Human Rights Law
(N.Y.C. Admin. Code § 8-107(1)(a))

177. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

178. Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, ANEUDY CASTILLO, ERICKSON PERALTA, MICHAEL J. DISANTO, JONATHAN CRUZ, and CHRISTINA ORTIZ subjected Plaintiff to a discriminatory and retaliatory work environment that exceeded petty slights and trivial inconveniences, in violation of the NYCHRL.

179. Plaintiff was systematically undermined in his role as Integrity Control Officer, excluded from decision-making processes, subjected to retaliatory oversight, and removed from active duty without justification.

180. Defendant CABAN, acting as Police Commissioner, had the authority and obligation to prevent or correct the hostile environment but failed to act, despite being placed on notice through internal reporting and public exposure.

181. Under the NYCHRL's liberal standard, Defendants' conduct significantly interfered with Plaintiff's ability to perform his duties and harmed his career, reputation, and emotional well-being.

182. As a direct result, Plaintiff is entitled to compensatory and punitive damages.

NINTH CAUSE OF ACTION
Retaliation in Violation of the New York City Human Rights Law
(N.Y.C. Admin. Code § 8-107(7))

183. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

184. Plaintiff engaged in protected activity by reporting discrimination, opposing unlawful employment practices, filing internal complaints, submitting a formal EEOC charge, and speaking publicly in a media interview about NYPD misconduct.

185. In response, Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, ANEUDY CASTILLO, ERICKSON PERALTA, MICHAEL J. DISANTO, JONATHAN CRUZ, and CHRISTINA ORTIZ retaliated against Plaintiff through continued exclusion, reputational attacks, denial of advancement, and use of baseless internal and external complaints to undermine his standing.

186. Defendant CABAN permitted these retaliatory actions to proceed without intervention and failed to restore Plaintiff to his rightful position until after widespread media coverage forced accountability.

187. Defendants' actions would dissuade a reasonable person from engaging in protected activity and constitute unlawful retaliation under the NYCHRL.

188. Plaintiff is entitled to emotional distress damages, economic loss, attorneys' fees, and punitive damages to deter future retaliatory conduct.

TENTH CAUSE OF ACTION
Retaliation by THE CITY OF NEW YORK and Defendant CHRISTINA ORTIZ via
Internal Complaint and Civil Lawsuit
(N.Y.C. Admin. Code § 8-107(7))

189. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

190. On February 13, 2025, Plaintiff engaged in protected activity by filing EEOC Charge No. 520-2025-3104. On February 15, 2025, Plaintiff publicly disclosed his allegations of workplace discrimination and retaliation within the NYPD in a widely circulated *New York Post* article.

191. In direct response to Plaintiff's protected activity, Defendant CHRISTINA ORTIZ filed an internal discrimination complaint with the NYPD and commenced a civil lawsuit against Plaintiff on February 19, 2025—only six days after the EEOC charge and four days after Plaintiff's public statements.

192. Defendant THE CITY OF NEW YORK, despite being fully aware of Plaintiff's protected activity and Defendant ORTIZ's retaliatory motive, failed to investigate or regulate either filing and continued to reward Defendant ORTIZ with a promotion into the Internal Affairs Bureau.

193. By allowing retaliatory complaints and litigation to proceed without scrutiny and continuing to endorse Defendant ORTIZ through advancement, THE CITY OF NEW YORK ratified and enabled a campaign of retaliation against a whistleblower in violation of N.Y.C. Admin. Code § 8-107(7).

194. These acts were intended to discredit, intimidate, and chill Plaintiff's protected activity and constitute retaliation under the broad and liberal standard of the NYCHRL.

195. As a direct and proximate result, Plaintiff has suffered substantial reputational, professional, and emotional harm and is entitled to compensatory damages, punitive damages, and other appropriate relief.

JURY TRIAL DEMAND

196. Plaintiff EMELIO C. RODRIQUES demands a trial by jury on all issues so triable under New York law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff EMELIO C. RODRIQUES respectfully requests that this Court enter judgment in his favor and against Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, ANEUDY CASTILLO, ERICKSON PERALTA, MICHAEL J. DISANTO, JONATHAN CRUZ, and CHRISTINA ORTIZ, and award the following relief:

- A. On all claims brought under the New York State Human Rights Law (Executive Law § 296), an award of compensatory damages against all Defendants jointly and severally, in an amount to be determined at trial;
- B. On all claims brought under the New York City Human Rights Law (Administrative Code § 8-107), an award of compensatory damages and, where permitted, punitive damages against the individually named Defendants;
- C. A finding of liability against THE CITY OF NEW YORK for its failure to prevent, investigate, or remedy unlawful discrimination, retaliation, and the hostile work environment endured by Plaintiff;
- D. An award of reasonable attorneys' fees, expert fees, costs, and disbursements under N.Y.C. Admin. Code § 8-502(f) and any other applicable law;
- E. A declaratory judgment that the conduct of the Defendants violated Plaintiff's rights under the New York State and New York City Human Rights Laws;
- F. Prejudgment and post-judgment interest at the maximum rate permitted by law; and
- G. Such other and further relief as this Court deems just, equitable, and proper under the circumstances.

Dated: April 21, 2025
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders _____
Eric Sanders

Eric Sanders, Esq.
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ATTORNEY VERIFICATION

STATE OF NEW YORK

ss:

COUNTY OF NEW YORK

ERIC SANDERS, ESQ., affirms as follows:

I am an attorney admitted to practice in the State of New York courts. As the attorney for the plaintiff in the action, I am familiar with all the facts and circumstances.

The Verified Complaint is true to the knowledge of the affirmant, except for those matters stated to be alleged upon information and belief, and he believes those matters to be factual.

The affirmant further states that this verification is made by the affirmant and not by the Plaintiff because the Plaintiff is not within the county of New York, where the affirmant maintains his office.

The undersigned attorney affirms that the previous statements are true under the penalties of perjury and Rule 2106 CPLR.

Dated: April 21, 2025
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders _____
Eric Sanders

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

INDEX NO.:

EMELIO C. RODRIQUES

Plaintiff,

-against-

THE CITY OF NEW YORK; EDWARD A. CABAN, as Police Commissioner, ANEUDY CASTILLO, as Commanding Officer, 34th Precinct, ERICKSON PERALTA, as Executive Officer, 34th Precinct, MICHAEL J. DISANTO, as Special Operations Lieutenant, 34th Precinct, JONATHAN CRUZ, as Administrative Lieutenant, 34th Precinct, and CHRISTINA ORTIZ, as Domestic Violence Sergeant, 34th Precinct, each sued in their official and individual capacities as employees, representatives, or agents of the CITY OF NEW YORK.

Defendants

SUMMONS WITH VERIFIED COMPLAINT

Duly submitted by:

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