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

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JERMACK ROMERO

Plaintiff,

-against-

SUMMONS

Index No.:

JURY DEMAND

THE CITY OF NEW YORK; EDWARD A. CABAN, as Former Police Commissioner, Police Department, City of New York; KEECHANT L. SEWELL, as Former Police Commissioner, Police Department City of New York and AMY J. LITWIN, as Former Deputy Commissioner, Department Advocates' Office, Police Department City of New York, each sued in their official capacity and individual capacities as an employee of Defendant 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 27, 2025
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders_____
Eric Sanders

Eric Sanders, Esq.
THE SANDERS FIRM, P.C.
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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 KEECHANT L. SEWELL
c/o NYPD Legal Bureau
One Police Plaza
New York, N.Y. 10038

Defendant AMY J. LITWIN
c/o NYPD Legal Bureau
One Police Plaza
New York, N.Y. 10038

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

----------x

JERMACK ROMERO

Plaintiff,

-against-

Verified Complaint

Index No.:

JURY DEMAND

THE CITY OF NEW YORK; EDWARD A. CABAN, as Former Police Commissioner, Police Department, City of New York; KEECHANT L. SEWELL, as Former Police Commissioner, Police Department City of New York and AMY J. LITWIN, as Former Deputy Commissioner, Department Advocates' Office, Police Department City of New York, each sued in their official capacity and individual capacities as an employee of Defendant THE CITY OF NEW YORK

Defendants

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The Plaintiff JERMACK ROMERO, through his attorney THE SANDERS FIRM, P.C., files this Verified Complaint against Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, KEECHANT L. SEWELL, and AMY J. LITWIN.

SUMMARY OF THE ALLEGATIONS

Plaintiff JERMACK ROMERO served as a police officer with the New York City Police Department (NYPD) for over seventeen (17) years, maintaining a commendable service record. The disciplinary case against Plaintiff stems from a domestic dispute involving allegations made by a young female acquaintance with whom Plaintiff had a close personal relationship. Although the related criminal charges were dismissed and sealed, the NYPD pursued disciplinary action against Plaintiff in a manner tainted by arrest history discrimination, gender-based bias, and retaliation for engaging in protected activity. Additionally, Defendants' actions reflected

preferential treatment afforded to politically affiliated officers, which Plaintiff lacked. The NYPD's handling of Plaintiff's case violated fundamental principles of due process and the obligations imposed under New York City Administrative Code § 14-115, which mandates full, fair, and impartial investigations free from unlawful discrimination.

Gender-Based Discrimination and Disparate Treatment

- The NYPD's disciplinary process exhibited explicit gender bias, treating Plaintiff more harshly than similarly situated female officers and politically affiliated officers involved in comparable domestic disputes.
- Male officers, including Plaintiff, were presumptively treated as primary aggressors, subjected to heightened scrutiny, and faced harsher penalties. In contrast, female and politically connected officers received lenient discipline or dismissal of charges.
- During the disciplinary hearing, Assistant Deputy Commissioner of Trials Vanessa Facio-Lince dismissed Plaintiff's statutory defenses, including his right to use force to defend premises under New York Penal Law § 35.20, without adequate legal analysis. The tribunal credited the complainant's version of events while disregarding credible evidence supporting the Plaintiff's claim of self-defense, reinforcing gender-based stereotypes that deny male officers the presumption of being domestic violence victims.

Arrest Record Discrimination

- Plaintiff's criminal charges arising from the domestic dispute were ultimately dismissed and sealed under New York Criminal Procedure Law §§ 160.50 and 160.60.
- Under applicable New York State and City Human Rights Laws and New York Criminal Procedure Law, Plaintiff was entitled to be treated as if the arrest and underlying criminal proceeding had never occurred.
- Despite the dismissal and sealing of his criminal matter, Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, KEECHANT L. SEWELL, and AMY J. LITWIN impermissibly used Plaintiff's arrest history and the underlying allegations as the basis for pursuing disciplinary action, subjecting him to heightened scrutiny, and ultimately terminating his employment.
- Defendants relied on Plaintiff's arrest and the associated allegations without demonstrating that the underlying conduct bore a direct relationship to his duties as a police officer or posed an unreasonable risk to the safety of the public, as required by law.
- Similarly situated officers with criminal convictions or misconduct findings were retained in employment, while Plaintiff, whose charges were dismissed and sealed, was singled out for harsher treatment.
- Defendants' reliance on Plaintiff's arrest record and sealed case violated New York Executive Law § 296(16) and New York City Administrative Code § 8-107(10) and (11), which prohibit employment discrimination based on an arrest that did not result in a conviction.

- As a direct and proximate result of Defendants' unlawful reliance on his arrest record, Plaintiff suffered termination from employment, loss of pension rights, emotional distress, and severe damage to his reputation and future earning capacity.

Failure to Investigate, Consider Arrest Record Protections, and Due Process Violations

- Sergeant James Rahill, the initial investigator, failed to document Plaintiff's injuries or meaningfully investigate Plaintiff's account of the incident, despite Plaintiff's submission of photographic evidence.
- The NYPD's Department Advocate's Office, led at the relevant time by Defendant AMY J. LITWIN, prosecuted Plaintiff based on a selective and incomplete evidentiary record, disregarding exculpatory evidence, statutory defenses mandated by law, and Plaintiff's rights under New York Criminal Procedure Law §§ 160.50 and 160.60 relating to his sealed arrest record.
- Defendants improperly relied on Plaintiff's dismissed and sealed arrest to pursue disciplinary charges, without independent evidence of misconduct directly related to Plaintiff's job duties or public safety.
- These investigatory failures violated the NYPD's duty under New York City Administrative Code § 14-115 to ensure a thorough, fair, impartial, and lawful process.

Systemic Failures by Senior NYPD Officials to Ensure a Fair and Lawful Process

- Defendants EDWARD A. CABAN and KEECHANT L. SEWELL, in their respective capacities as Police Commissioners, had a statutory duty under New York City Administrative Code § 14-115 to oversee and ensure a fair, unbiased, and legally compliant disciplinary process.
- Defendants CABAN and SEWELL failed to intervene to correct not only the gender bias but also the improper reliance on Plaintiff's sealed arrest record that permeated the investigation and disciplinary proceedings.
- Defendant LITWIN, in her prosecutorial discretion, neglected her obligation to fairly assess Plaintiff's defenses and statutory protections, instead proceeding in a manner tainted by bias against male officers accused in domestic disputes and unlawfully utilizing arrest history discrimination as a basis for charges.

Systemic Gender Stereotyping and Retaliatory Conduct

- The disciplinary tribunal, under Deputy Commissioner Trials Rosemarie Maldonado, operated under a presumption that male officers are inherently the primary aggressors in domestic incidents, reinforcing harmful gender stereotypes and prejudicing Plaintiff's defense.
- Plaintiff's objections to the biased, one-sided disciplinary proceedings — including objections to gender discrimination and the unlawful reliance on his sealed arrest record — triggered retaliatory actions, including the escalation of charges, the intensification of disciplinary proceedings, and threats of termination, despite his otherwise unblemished service record.

- Defendants CABAN and SEWELL allowed the retaliatory conduct to proceed unchecked, suggesting a coordinated effort to discredit Plaintiff in retaliation for asserting his legal rights, including his right to defend himself, to challenge discriminatory practices, and to oppose the unlawful use of his arrest history in violation of the New York State and City Human Rights Laws.

Resulting Harm

- As a direct and proximate result of the NYPD's discriminatory, biased, retaliatory, and unlawful actions, including improper reliance on Plaintiff's sealed arrest record, Plaintiff was wrongfully terminated.
- The actions of Defendants, individually and collectively, deprived Plaintiff of his rights under the New York State Human Rights Law and the New York City Human Rights Law, including protections against gender discrimination, arrest record discrimination, and retaliation for asserting his legal rights.
- As a result, Plaintiff suffered severe emotional distress, loss of earnings and pension benefits, loss of future career opportunities, and irreparable harm to his personal and professional reputation.

Summary of Defendants' Unlawful Conduct

As set forth above, Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, KEECHANT L. SEWELL, and AMY J. LITWIN engaged in unlawful discriminatory, retaliatory, and biased actions against Plaintiff JERMACK ROMERO, including discrimination based on gender, unlawful reliance on a sealed arrest record, retaliation for protected activity, and discriminatory treatment based on perceived status as a victim of domestic violence. These actions violated Plaintiff's rights under the New York State Human Rights Law and the New York City Human Rights Law, causing substantial economic, emotional, and reputational harm. Plaintiff seeks all available legal and equitable relief to remedy these unlawful practices.

JURISDICTION AND VENUE

1. This Court has jurisdiction over the claims asserted herein under the New York State Constitution and applicable provisions of the New York Civil Practice Law and Rules ("CPLR"), as the causes of action arise under the New York State Human Rights Law (New York Executive Law § 296) and the New York City Human Rights Law (New York City Administrative Code § 8-107).

2. Venue is proper in this Court under CPLR § 503 because the unlawful acts alleged herein occurred within the City and County of New York.

PROCEDURAL REQUIREMENTS

3. Plaintiff JERMACK ROMERO has filed suit with this Court within the applicable

statute of limitations period.

4. Plaintiff is not required to exhaust any administrative remedies before filing suit under the New York State Human Rights Law or the New York City Human Rights Law.

PLAINTIFF JERMACK ROMERO

5. Plaintiff JERMACK ROMERO is a male citizen of the State of New York, over twenty-one (21) years of age. He dedicated over seventeen (17) years of service as a police officer with the New York City Police Department (NYPD), where he maintained a commendable professional record and consistently demonstrated integrity, competence, and commitment to public safety.

6. Throughout his career, Plaintiff performed his duties without any prior disciplinary history, earning the respect of his colleagues and supervisors alike. His experience reflects a deep understanding of law enforcement responsibilities, community engagement, and adherence to departmental regulations and ethical standards.

7. At all relevant times, Plaintiff was an employee of Defendant THE CITY OF NEW YORK, serving in the NYPD until his wrongful termination due to the discriminatory and retaliatory actions alleged in this action. His background exemplifies a career public servant unfairly targeted through a disciplinary process tainted by gender-based stereotypes, political favoritism, and systemic bias.

DEFENDANTS'

8. Defendant THE CITY OF NEW YORK is a municipal corporation organized and existing under the laws of the State of New York. At all relevant times, THE CITY OF NEW YORK was Plaintiff's employer through its agency, the New York City Police Department ("NYPD"), and was responsible for the policies, practices, and conduct alleged herein. Its

principal offices are located in the County of New York.

9. Defendant EDWARD A. CABAN is the former Police Commissioner of the New York City Police Department. At all relevant times, Defendant CABAN was an employee and authorized agent of Defendant THE CITY OF NEW YORK, acting under color of law within the scope of his employment. Defendant CABAN exercised supervisory authority over the NYPD's disciplinary practices and is sued herein in his individual and official capacities.

10. Defendant KEECHANT L. SEWELL is the former Police Commissioner of the New York City Police Department. During the events alleged herein, Defendant SEWELL was an employee and authorized agent of Defendant THE CITY OF NEW YORK, acting under color of law and within the scope of her duties. Defendant SEWELL exercised administrative and supervisory oversight over the NYPD, including disciplinary actions against personnel, and is sued herein in her individual and official capacities.

11. Defendant AMY J. LITWIN is the former Deputy Commissioner of the Department Advocate's Office within the New York City Police Department. At all relevant times, Defendant LITWIN was an employee and authorized agent of Defendant THE CITY OF NEW YORK, acting within the scope of her employment and authority. Defendant Litwin was responsible for supervising the investigation and prosecution of internal disciplinary matters and is sued herein in her individual and official capacities.

BACKGROUND

THE DOMESTIC INCIDENT INVESTIGATION

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

13. Plaintiff JERMACK ROMERO alleges that the alleged victim, D.R., walked into the 50th Precinct and claimed that she and CP had dinner with Hennessey cocktails. After returning to his apartment, the parties argued about their relationship status when CP asked her to leave. She refused.

14. Plaintiff JERMACK ROMERO alleges that he threw her personal belongings out of the apartment and then used physical force to push her out.

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

16. Plaintiff JERMACK ROMERO alleges that D.R. claimed that she didn't want CP arrested.

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

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

19. Plaintiff JERMACK ROMERO alleges that on or about October 6, 2021, the department drafted parallel Charges and Specifications:

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

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

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

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

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

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

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

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

22. Plaintiff JERMACK ROMERO alleges that he remained on Modified Assignment despite the abovementioned dismissal. [Non-law enforcement activities].

Legal Defenses Designed to Prevent False Arrests and Other Constitutional Violations

23. Plaintiff JERMACK ROMERO alleges that under New York State Criminal Procedure § 140.10 (4)(c), … when an officer has reasonable cause to believe that more than one family or household member has committed such a misdemeanor, the officer is not required to arrest each such person. In such circumstances, the officer shall attempt to identify and arrest the primary physical aggressor… The officer shall evaluate each complaint separately to determine

who the primary physical aggressor is and shall not base the decision to arrest or not to arrest on the willingness of a person to testify or otherwise participate in a judicial proceeding.

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

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

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

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

27. Under §8-107.1, … because [victims of domestic violence] are embarrassed or because they fear losing their jobs, [they] are often reticent about informing their employers about incidents of domestic violence or about requesting simple accommodations that might assist them in fulfilling their job duties. A growing body of anecdotal evidence suggests that the fear of negative employment actions such as demotion, suspension, loss of pay and/or benefits or termination against employees who have revealed that they are victims of domestic violence is not unwarranted. For example, victims of domestic violence have been terminated or demoted after requesting simple protective measures such as time off or flexible hours to confer with an attorney or a domestic violence counselor, obtain an order of protection or obtain medical or other services for themselves or family members…

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

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

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

30. Plaintiff JERMACK ROMERO alleges that Defendant EDWARD A. CABAN, was the former First Deputy Police Commissioner under Defendant KEECHANT L. SEWELL an authorized agent acting on behalf of Defendant THE CITY OF NEW YORK.

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

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

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

34. Plaintiff JERMACK ROMERO alleges that Defendant THE CITY OF NEW YORK, through Defendant KEECHANT L. SEWELL or EDWARD A. CABAN, operated

NYPD Legal Matters [DCLM], which allegedly assists law enforcement personnel regarding department legal matters. The bureau allegedly assists members of the service in interpreting and enforcing state, federal, and local laws. It ensures that the policies and practices of the department are lawful and fairly applied.

35. Plaintiff JERMACK ROMERO alleges that Defendant THE CITY OF NEW YORK, through Defendant KEECHANT L. SEWELL or EDWARD A. CABAN, operated the Internal Affairs Bureau [IAB], which is allegedly dedicated to preserving the integrity of the NYPD.

36. Plaintiff JERMACK ROMERO alleges that Defendant THE CITY OF NEW YORK, through Defendant KEECHANT L. SEWELL or EDWARD A. CABAN, operated the Department Advocates Office [DAO], which allegedly prosecutes civilian and uniformed members of the service accused of violating department policies.

37. Plaintiff JERMACK ROMERO alleges that Defendant THE CITY OF NEW YORK, through Defendant KEECHANT L. SEWELL or EDWARD A. CABAN, operated the Office of the Deputy Commissioner of Trials [DCT], which allegedly ensures that department members are held to the highest standard of conduct and conduct fair and impartial disciplinary trials.

38. Plaintiff JERMACK ROMERO alleges that on or about June 21, 2018, former Police Commissioner James P. O'Neill appointed an "Independent Panel" to conduct a "review" of the internal disciplinary system of the NYPD or "Department" and to propose recommendations to improve it.

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

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

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

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

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

44. Plaintiff JERMACK ROMERO alleges that Agency Attorney Samuel Yee alleged in Samuel Yee v. The City of New York, et al., filed on February 14, 2023, in the Supreme Court, New York County Index No.: 151387/2023, during Defendant AMY J. LITWIN'S tenure [Defendants EDWARD A. CABAN and KEECHANT L. SEWELL, Dermot F. Shea and James P. O'Neill], she engaged in discriminatory practices including intentionally removing lawyers of color off cases involving allegations of discrimination, domestic violence, and sex offenses.

45. Plaintiff JERMACK ROMERO alleges that upon information and belief, during Defendant AMY J. LITWIN'S tenure [under Defendants EDWARD A. CABAN and KEECHANT L. SEWELL, Dermot F. Shea and James P. O'Neill], the overwhelming majority of cases involving domestic violence were sustained against male police officers than similarly situated female police officers resulting in a disproportionate disparity in outcomes with male police officers receiving more substantial penalties including termination and the female police officers receiving fewer substantial penalties.

46. Plaintiff JERMACK ROMERO alleges that upon information and belief, during Defendant AMY J. LITWIN'S tenure [under Defendants EDWARD A. CABAN and KEECHANT L. SEWELL, Dermot F. Shea and James P. O'Neill], male police officers were less likely to have cases involving domestic violence dismissed than similarly situated female police officers.

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

48. Plaintiff JERMACK ROMERO alleges that during Deputy Commissioner Trials – Rosemarie Maldonado's tenure [under Defendants EDWARD A. CABAN and KEECHANT L. SEWELL, Dermot F. Shea and James P. O'Neill], she and her assistant deputy commissioners,

upon information and belief, male police officers are less likely to have cases involving domestic violence dismissed than similarly situated female police officers.

The NYPD Disciplinary Process Uses 'Arbitrary Standards' Supported by the Hypocritical 'Conduct' of the Police Commissioners

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

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

51. Plaintiff JERMACK ROMERO alleges that Jimmy Rodriguez, aka Jamie Rodriguez, has a criminal history [acknowledged during interviews with several publications, including The New Yorker on November 9, 1997] with recurring allegations related to the sale of

narcotics, prostitution, and other criminal conduct within the former Jimmy's Bronx Café and now Con Sofrito.[1]

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

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

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

[1] Moreover, there's some suggestion from a mob associate John Pennisi, Sitdownnews that he and Anthony Guzzo were considering a money and narcotic deal with Jimmy Rodriguez, former owner of Don Coqui, Jimmy's Bronx Café and Jimmy's Uptown who wanted to become a member of the Lucchese Crime family. They believe it was a setup in retaliation for an incident with a Genovese Crime family associate. https://youtu.be/m9Yp342sPEo?si=DYwa8b5a6OMZJZMh

Jimmy's ConSofrito
Oct 8, 2022 ·
Mobile uploads

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

Jimmy's ConSofrito
Oct 8, 2022 ·

Police Commissioners Keechant L. Sewell and Edward A. Caban

Jimmy Rodriguez with former Chief of Department Kenneth E. Corey

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

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

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

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

Jimmy Rodriguez with former Police Commissioner Dermot F. Shea

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

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

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

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

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

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

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

Other 'Arbitrary Standards' Departure From the NYPD Disciplinary Matrix - Demonstrating Disparate Treatment Based on Arrest and Gender Discrimination Along with Political Affiliation

56. The plaintiff alleges that Defendants CABAN, SEWELL, and LITWIN engaged in a pattern of disparate treatment in disciplinary outcomes, influenced by unlawful considerations of arrest history, gender bias, and political affiliation. Similarly situated officers, many of whom engaged in serious misconduct, including criminal behavior, were permitted to retain their employment, receive lesser penalties, or benefit from mitigation based on political connections or other impermissible factors. In contrast, Plaintiff was terminated despite the dismissal and sealing of criminal charges, a commendable service record, and valid defenses under New York law.

57. The following examples illustrate the discriminatory practices undertaken by Defendants, which violate the New York State Human Rights Law, the New York City Human Rights Law, and related statutory protections.

58. Police Officer Christopher Alvarado, a Hispanic male, engaged in a drunken off-duty incident where he fled the scene, impeded a criminal investigation, and broke a civilian's car window. Alvarado was convicted of a crime. Although the administrative law judge recommended his dismissal, then-Commissioner Dermot F. Shea overturned the decision on June

26, 2020, allowing Alvarado to remain employed. Plaintiff, similarly situated, was terminated despite a less severe history.

59. Police Officer Nelson Reyes (Tax Registry No.: 953309) pled guilty to assaulting his wife, admitting that he struck her during a domestic dispute. Reyes was not arrested and was sentenced to one year's dismissal probation and forfeiture of thirty-five vacation days, with approval from Commissioner Shea on April 28, 2020. Plaintiff, in contrast, was terminated despite no such admission.

60. Sergeant Omar Salem (Tax Registry No.: 943768) was found guilty of engaging in a physical altercation with his wife, including pushing and holding her down, conduct which prompted the filing of a domestic incident report and a statement from the victim that she feared for her life. Despite this, Salem received a penalty of only thirty days docked and one year's dismissal probation under Commissioner Shea, and remained employed. The plaintiff faced termination under far less egregious circumstances.

61. Probationary Police Officer Joseph M. Essig (Tax Registry No.: 956626)**,** son of NYPD Chief James Essig, was arrested on October 8, 2015, in Atlantic City, New Jersey, for felony criminal sexual misconduct. He pleaded guilty to a health code violation, received a fine, and was permitted to remain employed under then-Commissioner William J. Bratton, eventually serving in the Gun Violence Suppression Division. The plaintiff was terminated while Essig remained employed after serious criminal charges.

62. Detective Nalik O. Zeigler Tax Registry No.: 951461)**,** son of high-ranking NYPD officials, was arrested for Driving While Intoxicated after an accident in Harlem. He was suspended, placed on modified assignment, and restored to full duty without demotion under Commissioner Shea. The plaintiff, who faced dismissed and sealed charges, was terminated.

63. Detective Marissa Sorocco (Tax Registry No.: 937119) was arrested for Arson in the Fifth Degree and Criminal Mischief in the Fourth Degree after intentionally setting a fire that caused property damage. Despite being found guilty of these acts, Sorocco forfeited thirty days' pay, served one year of dismissal probation, and returned to full duty without demotion under Commissioner James P. O'Neill. The plaintiff was not given similar opportunities for rehabilitation.

64. Police Officer Freddy Difo (Tax Registry No.: 957544) pleaded guilty to endangering the welfare of a child stemming from a physical altercation. Difo received a thirty-two-day suspension, a forfeiture of twenty-three vacation days, and a one-year dismissal probation, and continues to be employed by the NYPD under Commissioner Shea. Plaintiff, by contrast, was terminated despite not being convicted.

65. Police Officer Willie Thompson (Tax Registry No.: 958120) was accused of "prohibited conduct" and making false statements after engaging in multiple sexual encounters with a witness in an active carjacking case he was investigating. Assistant Deputy Commissioner of Trials Jeff Adler recommended Thompson's termination. Nevertheless, on or about October 22, 2023, Defendant CABAN, then-Police Commissioner, overruled the termination recommendation and instead imposed an "unreviewable" penalty of a thirty (30)-day loss of vacation days and one (1) year dismissal probation. Upon information and belief, this decision was influenced by Officer Thompson's political affiliation, an impermissible factor in the disciplinary process.

66. Police Officer Kimberly Lucas (Tax Registry No.: 958844) pleaded guilty to possessing and submitting fraudulent COVID-19 vaccination cards and providing false statements during an official NYPD investigation. Assistant Deputy Commissioner Anne E.

Stone recommended Lucas's termination. However, on May 10, 2024, Defendant CABAN declined to follow this recommendation, imposing a penalty of eighty-five (85) days' loss of vacation time and one (1) year dismissal probation. Defendant CABAN justified the deviation based on Lucas's prior good performance and commendations, disregarding the serious nature of her misconduct.

67. Police Officer Handoly Ramos (Tax Registry No.: 953297) pleaded guilty to violating NYPD regulations by knowingly associating with an individual believed to be engaged in criminal activity. Despite the severity of the offense, Ramos was permitted to remain employed with only a penalty of thirty-five (35) vacation days lost and one (1) year dismissal probation, resolved on March 30, 2018, under Commissioner O'Neill.

68. Detective Kaz R. Daughtry (Tax Registry No.: 940052) pleaded guilty to making misleading and inaccurate statements. On September 7, 2021, he received a penalty of only twenty (20) vacation days lost, without further disciplinary action or termination under Defendant SEWELL.

69. Police Officer Delare Rathour was found guilty of engaging in two separate incidents of domestic violence and reckless endangerment against his wife. In the first incident, Rathour shoved his wife into a closet, causing serious spinal injuries. In the second incident, despite an active order of protection, Rathour drove recklessly with his wife in the vehicle, running red lights and endangering her life, all of which was captured on video. Assistant Deputy Commissioner Jeff Adler strongly recommended Rathour's termination after finding a blatant disregard for public and familial safety. Nevertheless, Defendant CABAN deviated from this recommendation and imposed lesser penalties, allegedly due to Rathour's political affiliation with influential individuals in the NYPD.

70. These examples reflect a pattern in which officers with political affiliations or favored status were shielded from termination despite engaging in serious misconduct. In contrast, Plaintiff, who lacked political affiliation and whose charges were dismissed and sealed, was terminated under materially different circumstances.

71. The NYPD's disparate disciplinary practices demonstrate that conduct involving public intoxication, domestic violence, endangering the welfare of children, obstruction of investigations, and even felony-level misconduct were not deemed to have a direct relationship to the duties of police officers or create an unreasonable risk to the public when politically connected individuals were involved.

72. Plaintiff, similarly situated in all material respects to the officers referenced herein, was treated less favorably based on his arrest history, lack of political affiliation, gender, and engagement in protected activity. As detailed above, Defendants THE CITY OF NEW YORK, CABAN, SEWELL, and LITWIN systematically permitted officers involved in more serious misconduct to retain their employment, while imposing the harshest penalty—termination—on Plaintiff. This disparate treatment, influenced by political favoritism and gender-based stereotypes, directly resulted in Plaintiff's wrongful termination, in violation of the New York State Human Rights Law and the New York City Human Rights Law.

The Department Trial

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

74. Plaintiff JERMACK ROMERO alleges that after a one [1] day department trial, on or about September 7, 2023, Assistant Deputy Commissioner – Trials Vanessa Facio-Lince recommended a finding of GUILTY and DISMISSAL from the department.

75. Plaintiff JERMACK ROMERO alleges that he raised several defenses related to the Criminal Procedure Law, Penal Law, and New York City Administrative Code during the department trial. Yet, Assistant Deputy Commissioner - Trials Vanessa Facio-Lince declined to apply them.

76. Plaintiff JERMACK ROMERO alleges that this is due to the blatant 'arbitrary standards,' gender, and political affiliation bias that's openly practiced within the NYPD Disciplinary System.

77. Plaintiff JERMACK ROMERO alleges that despite Assistant Deputy Commissioner – Trials Vanessa Facio-Lince declining to apply the defenses related to the Criminal Procedure Law, Penal Law, and New York City Administrative Code, unlike the previously mentioned cases, Defendant EDWARD A. CABAN declined to deviate from the findings and imposed his DISMISSAL from the department on or about October 19, 2023.

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

79. Plaintiff JERMACK ROMERO alleges that the actions above violated his rights under the New York State Executive Law § 296 and New York City Administrative Code § 8-107.

VIOLATIONS AND CLAIMS ALLEGED

First Cause of Action: Gender Discrimination Under New York State Human Rights Law (Executive Law § 296)

80. The plaintiff realleges and incorporates by reference every allegation set forth above as if fully set forth herein.

81. Plaintiff JERMACK ROMERO alleges that Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, KEECHANT L. SEWELL, and AMY J. LITWIN discriminated against him based on his gender, subjecting him to harsher disciplinary action than similarly situated female officers involved in comparable incidents.

82. The NYPD's disciplinary process, directed and influenced by Defendants, was tainted by gender-based stereotypes, including the presumption that male officers are inherently the primary aggressors in domestic violence matters.

83. Defendants dismissed Plaintiff's self-defense claims without fair consideration, disregarded credible evidence supporting Plaintiff's account, and relied on biased assumptions rooted in his gender, culminating in an unjust disciplinary outcome.

84. Defendants' conduct constitutes unlawful gender discrimination in violation of the New York State Human Rights Law (Executive Law § 296), and as a direct and proximate result, Plaintiff has suffered damages including lost wages, pension benefits, emotional distress, and reputational harm.

Second Cause of Action: Arrest Record Discrimination Under New York State Human Rights Law (Executive Law § 296(16))

85. The Plaintiff realleges and incorporates by reference every allegation set forth above as if fully set forth herein.

86. Plaintiff JERMACK ROMERO alleges that Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, KEECHANT L. SEWELL, and AMY J. LITWIN discriminated against him based on his arrest record, in violation of the New York State Human Rights Law (Executive Law § 296(16)).

87. At all relevant times, Plaintiff's criminal charges were dismissed and sealed under New York Criminal Procedure Law §§ 160.50 and 160.60. As a result, Plaintiff was entitled to be treated as if the arrest and criminal proceeding had never occurred.

88. Despite the dismissal and sealing of Plaintiff's charges, Defendants impermissibly relied upon Plaintiff's arrest history and the underlying allegations to initiate and pursue disciplinary charges, subject him to heightened scrutiny, and ultimately terminate his employment.

89. Defendants' use of Plaintiff's arrest record in making adverse employment decisions constitutes unlawful discrimination under Executive Law § 296(16), which prohibits employers from taking adverse action based on an arrest resolved in the employee's favor.

90. As a direct and proximate result of Defendants' unlawful arrest record discrimination, Plaintiff has suffered damages, including but not limited to lost wages, lost pension rights, emotional distress, and reputational harm.

Third Cause of Action: Retaliation Under New York State Human Rights Law (Executive Law § 296)

91. The Plaintiff realleges and incorporates by reference every allegation set forth above as if fully set forth herein.

92. Plaintiff JERMACK ROMERO engaged in protected activity under the New York State Human Rights Law by asserting his rights and defenses under the Criminal Procedure Law,

Penal Law, and New York City Administrative Code, and by challenging the NYPD's biased disciplinary proceedings, including raising claims of self-defense and gender discrimination.

93. In response to Plaintiff's protected activity, Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, KEECHANT L. SEWELL, and AMY J. LITWIN escalated disciplinary actions against him, disregarded legitimate legal defenses, intensified the charges, and ultimately recommended his termination.

94. Defendants' retaliatory conduct was motivated by Plaintiff's objections to the discriminatory process, his invocation of statutory rights, and his lack of political affiliation or influence within the NYPD.

95. Defendants' actions constitute unlawful retaliation violating the New York State Human Rights Law (Executive Law § 296(7)).

96. As a direct and proximate result of Defendants' unlawful retaliation, Plaintiff has suffered damages, including lost wages, lost pension benefits, emotional distress, and harm to his personal and professional reputation.

Fourth Cause of Action: Gender Discrimination Under New York City Administrative Code § 8-107

97. The Plaintiff realleges and incorporates by reference every allegation set forth above as if fully set forth herein.

98. This cause of action is to be construed independently and liberally under the Local Civil Rights Restoration Act of 2005.

99. Plaintiff JERMACK ROMERO alleges that Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, KEECHANT L. SEWELL, and AMY J. LITWIN discriminated against him based on his gender, subjecting him to harsher disciplinary action than similarly situated female officers involved in comparable incidents.

100. The NYPD's disciplinary process, directed and influenced by Defendants, was tainted by gender-based stereotypes, including the presumption that male officers are inherently the primary aggressors in domestic violence incidents, and failed to consider Plaintiff's self-defense claims and credible evidence reasonably.

101. Defendants' conduct constitutes unlawful gender discrimination under the New York City Human Rights Law, New York City Administrative Code § 8-107(1)(a), which prohibits discrimination in terms, conditions, and privileges of employment based on gender.

102. As a direct and proximate result of Defendants' unlawful gender discrimination, Plaintiff suffered damages, including lost wages, lost pension benefits, emotional distress, and irreparable harm to his personal and professional reputation.

Fifth Cause of Action: Arrest Record Discrimination Under New York City Administrative Code § 8-107(1)

103. The Plaintiff realleges and incorporates by reference every allegation set forth above as if fully set forth herein.

104. This cause of action is to be construed independently and liberally under the Local Civil Rights Restoration Act of 2005.

105. Plaintiff JERMACK ROMERO alleges that Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, KEECHANT L. SEWELL, and AMY J. LITWIN unlawfully discriminated against him based on his arrest history and related perceptions, in violation of New York City Administrative Code § 8-107(1).

106. Plaintiff's criminal charges were dismissed and sealed under New York Criminal Procedure Law §§ 160.50 and 160.60, entitling him to be treated as if the arrest and criminal proceeding had never occurred.

107. Despite the dismissal and sealing of his charges, Defendants relied on Plaintiff's arrest and the allegations underlying it to initiate and pursue disciplinary charges, subject him to heightened scrutiny, and ultimately terminate his employment.

108. Such conduct constitutes unlawful discrimination in terms, conditions, and privileges of employment based on arrest history, in violation of New York City Administrative Code § 8-107(1)(a).

109. As a direct and proximate result of Defendants' unlawful discrimination, Plaintiff has suffered damages, including lost wages, lost pension benefits, emotional distress, and damage to his personal and professional reputation.

Sixth Cause of Action: Discrimination Based on Status as a Victim of Domestic Violence Under New York City Administrative Code § 8-107.1

110. The Plaintiff realleges and incorporates by reference every allegation set forth above as if fully set forth herein.

111. This cause of action is to be construed independently and liberally under the Local Civil Rights Restoration Act of 2005.

112. Plaintiff JERMACK ROMERO was perceived as a participant in a domestic violence incident and raised credible self-defense claims in connection with that incident, as defined under New York City Administrative Code § 8-107.1.

113. Despite the dismissal and sealing of related criminal charges, and Plaintiff's lawful exercise of self-defense, Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, KEECHANT L. SEWELL, and AMY J. LITWIN discriminated against Plaintiff by pursuing biased disciplinary proceedings, disregarding statutory protections, and ultimately terminating his employment.

114. Such conduct constitutes unlawful discrimination based on Plaintiff's actual or perceived status as a victim of domestic violence, in violation of New York City Administrative Code § 8-107.1.

115. As a direct and proximate result of Defendants' unlawful discrimination, Plaintiff suffered damages, including but not limited to lost wages, lost pension rights, emotional distress, and reputational harm.

Seventh Cause of Action: Retaliation Under New York City Administrative Code § 8-107(7)

116. The Plaintiff realleges and incorporates by reference every allegation set forth above as if fully set forth herein.

117. This cause of action is to be construed independently and liberally under the Local Civil Rights Restoration Act of 2005.

118. Plaintiff JERMACK ROMERO engaged in protected activity under the New York City Human Rights Law by objecting to gender discrimination, arrest history discrimination, and unfair disciplinary practices. He also asserted his rights under the Criminal Procedure, Penal, and New York City Administrative Code.

119. In retaliation for engaging in protected activity, Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, KEECHANT L. SEWELL, and AMY J. LITWIN escalated disciplinary measures against Plaintiff, disregarded legal defenses, intensified disciplinary charges, and ultimately recommended and effected his termination.

120. Defendants' retaliatory conduct constitutes unlawful retaliation in violation of New York City Administrative Code § 8-107(7), which prohibits retaliation against individuals who oppose discriminatory practices or assert protected rights.

121. As a direct and proximate result of Defendants' unlawful retaliation, Plaintiff suffered damages including lost wages, lost pension benefits, emotional distress, and damage to his personal and professional reputation.

JURY TRIAL

122. Plaintiff JERMACK ROMERO demands a trial by jury of all issues in this action that are so triable.

Summary of Defendants' Unlawful Conduct

As set forth above, Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, KEECHANT L. SEWELL, and AMY J. LITWIN engaged in unlawful discriminatory, retaliatory, and biased actions against Plaintiff, including discrimination based on gender, unlawful reliance on a sealed arrest record, retaliation for protected activity, and discriminatory treatment based on perceived status as a victim of domestic violence. These actions violated Plaintiff's rights under the New York State Human Rights Law and the New York City Human Rights Law, causing substantial economic, emotional, and reputational harm. Plaintiff seeks all available legal and equitable relief to remedy these unlawful practices.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff JERMACK ROMERO respectfully requests that this Court enter judgment in his favor and against Defendants THE CITY OF NEW YORK, EDWARD A. CABAN, KEECHANT L. SEWELL, and AMY J. LITWIN, 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, including reinstatement and backpay.

Dated: April 27, 2025
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders_____
Eric Sanders

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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 who has been 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 27, 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.:

JERMACK ROMERO

Plaintiff,

-against-

THE CITY OF NEW YORK; JEFFREY B. MADDREY, as Chief of Department; ELIZABETH M. LABOY, as Instructor, Recruit Training School; JOSE L. CARABALLO, as Instructor, Recruit Training School; BRIAN T. HENRY, as PBA Delegate, Recruit Training School; BAHRON ASLIEV, as Recruit, NYPD Police Academy; JOHN DOES 1–5, as members of the initial response and investigative team, and JOHN DOE 6, as the supervising Chief assigned to Internal Affairs, 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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