

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

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EMILIO ANDINO

Plaintiff,

AMENDED SUMMONS

-against-

Index No.: 155113/2025

JURY DEMAND

THE CITY OF NEW YORK; JESSICA S. TISCH, as Police Commissioner; TANIA I. KINSELLA, as First Deputy Commissioner; JEFFREY B. MADDREY, as Chief of Department; MARTINE N. MATERASSO, as Chief of Training; ANGEL L. FIGUEROA, as Commanding Officer, Police Academy; ARSENIO CAMILO, as Executive Officer, Police Academy; ELIZABETH M. LABOY, as Lieutenant, Police Academy; JOSE L. CARABALLO, as Lieutenant, Police Academy; BRIAN T. HENRY, as PBA Delegate, Police Academy; BAHRON ASLIEV, as Probationary Police Officer, Police Academy; DWAYNE R. HARRIS, as Sergeant, Internal Affairs Bureau Group No. 21; EVELYN HALL, as Sergeant, Internal Affairs Bureau Group No. 21; GIUSEPPE DEANGELIS, as Sergeant, Internal Affairs Bureau Group No. 22 and DAVID R. VERNA, as Sergeant, Internal Affairs Bureau Group No. 22; 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 Amended Verified Complaint upon the Plaintiff's attorney at the address below.

If this Amended 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 Amended 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 Amended 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: May 19, 2025
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders _____
Eric Sanders

Eric Sanders, Esq.
THE SANDERS FIRM, P.C.
30 Wall Street, 8th Floor
New York, NY 10005
(212) 652-2782 (Business Telephone)
(212) 652-2783 (Facsimile)

Website: <http://www.thesandersfirmpc.com>

DEFENDANT ADDRESSES

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

Defendant JESSICA S. TISCH
c/o NYPD Legal Bureau
One Police Plaza
New York, N.Y. 10038

Defendant TANIA I. KINSELLA
c/o NYPD Legal Bureau
One Police Plaza
New York, N.Y. 10038

Defendant JEFFREY B. MADDREY
c/o NYPD Legal Bureau
One Police Plaza
New York, N.Y. 10038

Defendant MARTINE N. MATERASSO
Chief of Training
NYPD Police Academy
130-30 28th Avenue
Flushing, New York 11354

Defendant ANGEL L. FIGUEROA
Commanding Officer
NYPD Police Academy
130-30 28th Avenue
Flushing, New York 11354

Defendant ARSENIO CAMILO
Executive Officer
NYPD Police Academy
130-30 28th Avenue
Flushing, New York 11354

Defendant ELIZABETH M. LABOY
Lieutenant
NYPD Police Academy
130-30 28th Avenue
Flushing, New York 11354

Defendant JOSE L. CARABALLO
Lieutenant
NYPD Police Academy
130-30 28th Avenue
Flushing, New York 11354

Defendant BRIAN T. HENRY
PBA Delegate
NYPD Police Academy
130-30 28th Avenue
Flushing, New York 11354

Defendant BAHRON ASLIEV
Recruit (at time of events),
NYPD Police Academy
130-30 28th Avenue
Flushing, New York 11354

Defendant DWAYNE R. HARRIS
Internal Affairs Bureau Group No. 21
c/o NYPD Legal Bureau
One Police Plaza
New York, N.Y. 10038

Defendant EVELYN HALL
Internal Affairs Bureau Group No. 21
c/o NYPD Legal Bureau
One Police Plaza
New York, N.Y. 10038

Defendant GIUSEPPE DEANGELIS
Internal Affairs Bureau Group No. 22
c/o NYPD Legal Bureau
One Police Plaza
New York, N.Y. 10038

Defendant DAVID R. VERNA
Internal Affairs Bureau Group No. 22
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

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EMILIO ANDINO

Plaintiff,

Verified Complaint

-against-

Index No.: 155113/2025

JURY DEMAND

THE CITY OF NEW YORK; JESSICA S. TISCH, as Police Commissioner; TANIA I. KINSELLA, as First Deputy Commissioner; JEFFREY B. MADDREY, as Chief of Department; MARTINE N. MATERASSO, as Chief of Training; ANGEL L. FIGUEROA, as Commanding Officer, Police Academy; ARSENIO CAMILO, as Executive Officer, Police Academy; ELIZABETH M. LABOY, as Lieutenant, Police Academy; JOSE L. CARABALLO, as Lieutenant, Police Academy; BRIAN T. HENRY, as PBA Delegate, Police Academy; BAHRON ASLIEV, as Probationary Police Officer, Police Academy; DWAYNE R. HARRIS, as Sergeant, Internal Affairs Bureau Group No. 21; EVELYN HALL, as Sergeant, Internal Affairs Bureau Group No. 21; GIUSEPPE DEANGELIS, as Sergeant, Internal Affairs Bureau Group No. 22 and DAVID R. VERNA, as Sergeant, Internal Affairs Bureau Group No. 22; each sued in their official and individual capacities as employees, representatives, or agents of the CITY OF NEW YORK.

Defendants

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Plaintiff EMILIO ANDINO, through his attorneys, THE SANDERS FIRM, P.C., files this Amended Verified Complaint against Defendants THE CITY OF NEW YORK, JESSICA S. TISCH, TANIA I. KINSELLA, JEFFREY B. MADDREY, MARTINE N. MATERASSO, ANGEL L. FIGUEROA, ARSENIO CAMILO, ELIZABETH M. LABOY, JOSE L. CARABALLO, BRIAN T. HENRY, BAHRON ASLIEV, DWAYNE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA, respectfully allege as follows:

INTRODUCTORY SUMMARY

This civil action arises from a sustained campaign of retaliation, discrimination, and institutional coercion targeting Plaintiff EMILIO ANDINO, a Black male recruit at the New York City Police Department (“NYPD”) Police Academy, in reprisal for his familial association with whistleblower Lieutenant Quatisha Epps. On December 21, 2024, Epps filed a formal Charge of Discrimination with the U.S. Equal Employment Opportunity Commission (“EEOC”), publicly accusing then-Chief of Department Defendant JEFFREY B. MADDREY of quid pro quo sexual harassment, while exposing systemic misconduct and corruption within the NYPD’s executive ranks. The fallout from her protected disclosures was immediate—and Plaintiff ANDINO became collateral damage.

Known throughout the Academy as Epps’s nephew, Plaintiff was subjected almost instantly to escalating racial hostility, sexually demeaning rumors, and retaliatory scrutiny. He was assigned to Hook Company 24-56 at the Police Academy, where he became the repeated target of harassment by Defendant BAHRON ASLIEV, an Asian recruit. ASLIEV hurled racist slurs, made sexually explicit references to Plaintiff’s 12-year-old son, and ultimately provoked a staged confrontation on April 1, 2025, immediately after a controlled training scenario—deliberately baiting Plaintiff in front of other recruits.

Instead of initiating an impartial inquiry, NYPD officials launched a biased and retaliatory investigation designed to remove Plaintiff. Key officials, including Defendants MARTINE N. MATERASSO, ANGEL L. FIGUEROA, and other senior officers—ARSENIO CAMILO, ELIZABETH M. LABOY, JOSE L. CARABALLO, and BRIAN T. HENRY—ignored departmental protocols, refused to interview exculpatory witnesses, and preemptively suspended Plaintiff without pay. Defendant HENRY, Plaintiff’s Police Benevolent Association

(PBA) delegate, urged him to resign, warning that refusal could result in permanent blacklisting from civil service.

Defendant ASLIEV, the instigator, was never disciplined.

On May 9, 2025, Plaintiff was summoned to NYPD Headquarters, where he was served with a fabricated disciplinary charge—Department Advocate’s Office Serial No. C-033577—drafted by Defendant FIGUEROA and endorsed by Defendant MATERASSO. The charge mischaracterized the April 1 incident as misconduct by Plaintiff, relying on a UF49 authored by Defendant CAMILO that omitted key facts and distorted the record. Notably, critical witnesses—VERAS, BATISTA, and SUAREZ—were excluded from all investigative documents.

Then, on May 5, 2025, Plaintiff was ordered to undergo radioimmunoassay of hair (RIAH) drug testing, a scientifically discredited method disproportionately affecting Black officers. The test was neither “random” nor “for cause,” and it was administered outside the NYPD’s own stated policy framework—confirming its retaliatory nature. Despite this coercive escalation, Plaintiff presumably passed the drug test.

On May 15, 2025, Plaintiff sat for the Police Academy’s third and final trimester examination—a high-stakes requirement for graduation. Despite his recent suspension, reputational harm, and lack of institutional support, Plaintiff scored a 93, placing him among the top academic performers in his class.

By May 16, 2025, he had met all requirements for graduation and was eligible for field deployment and police officer certification.

Yet instead of advancing, Plaintiff was placed in a state of career purgatory. While he remains technically employed by the NYPD, he has been denied graduation, removed from the

field training pipeline, and left without assignment or status. The Department has refused to communicate any basis for his stalled progression—despite clear evidence of eligibility—functioning as an ongoing campaign of constructive retaliation.

Meanwhile, Defendant MATERASSO, who initiated and endorsed Plaintiff's suspension, was publicly photographed on May 14, 2025, socializing with Jimmy "Jamie" Rodriguez, an alleged associate of the Lucchese crime family, at Sobro Garden in the Bronx. This appearance—documented on social media and corroborated by former Lucchese member and government witness John Pennisi—constituted a clear violation of NYPD Administrative Guide Procedure No. 304-06(8)(c), which prohibits knowingly associating with individuals engaged in criminal activity. Despite clear, time-stamped, geotagged evidence, no disciplinary action was taken against Defendant MATERASSO.

The contrast is glaring. A Black recruit with familial ties to a whistleblower is suspended, drug tested, falsely charged, and obstructed from graduation. A white chief who fraternizes with alleged organized crime figures is protected and promoted. The hypocrisy is not anecdotal—it is institutional.

Throughout this ordeal, top NYPD leadership—including Police Commissioner Defendant JESSICA S. TISCH and First Deputy Commissioner Defendant TANIA I. KINSELLA—ratified the retaliation under their disciplinary and policymaking authority pursuant to N.Y.C. Administrative Code § 14-115, and took no corrective action to safeguard Plaintiff's rights under law.

This Amended Verified Complaint seeks to hold all named Defendants individually liable under the New York State Human Rights Law (NYSHRL) and the New York City Human Rights Law (NYCHRL) for aiding and abetting race and gender discrimination, retaliation, and

hostile work environment, as well as for enforcing and perpetuating a selective, retaliatory disciplinary culture that punishes protected associations.

What happened to Defendant EMILIO ANDINO is not merely the consequence of a flawed personnel process—it is the manifestation of an institutional retaliation apparatus, where truth-telling is punished not only through direct reprisal, but through guilt by association. In the NYPD, the message is clear: if you stand beside a whistleblower, you stand alone.

JURISDICTION AND VENUE

1. Plaintiff EMILIO ANDINO 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 County of Queens, where the NYPD Police Academy is located, and within the County of New York, where the Office of Equity and Inclusion and NYPD executive leadership—including disciplinary decision-makers—are headquartered.

4. The employment actions relating to Plaintiff's suspension, proposed constructive discharge, and threats of civil service ineligibility were authorized, ratified, or permitted to proceed under the authority of NYPD Commissioner Jessica S. Tisch, acting in her official

capacity as the appointing and final disciplinary authority for uniformed personnel 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 EMILIO ANDINO is an African American resident of the State of New York. At all relevant times, Plaintiff was a recruit in the NYPD Police Academy located at 130-30 28th Avenue, Flushing, Queens, New York 11354.

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 JESSICA S. TISCH is, upon information and belief, the Police Commissioner of the New York City Police Department, holding the highest-ranking civilian

post within the Department and serving as its final policymaking and disciplinary authority pursuant to the New York City Charter and New York City Administrative Code § 14-115.

12. At all relevant times, Defendant TISCH exercised ultimate supervisory and command authority over the NYPD's disciplinary systems, internal investigations, and personnel decisions, including those affecting Plaintiff. As Police Commissioner, Defendant TISCH possessed both actual and constructive knowledge of the facts surrounding Plaintiff EMILIO ANDINO's suspension, including his familial association with a known NYPD whistleblower, the discriminatory nature of the investigation, the disparate treatment in discipline, and the imposition of a racially biased RIAH hair drug test upon his return.

13. Despite this knowledge and her legal obligation to ensure that disciplinary actions are administered fairly, impartially, and consistent with law, Defendant TISCH knowingly permitted or ratified the selective and retaliatory enforcement of Department policy against Plaintiff, a Black male recruit whose only "misconduct" was resisting racially and sexually charged harassment.

14. Defendant TISCH failed to take any action to prevent or remedy the retaliatory suspension, biased internal investigation, and post-suspension coercion inflicted upon Plaintiff. These acts were not isolated, but occurred with her full awareness and approval, as part of a broader institutional backlash against the protected disclosures made by Plaintiff's aunt, retired NYPD Lieutenant Quatisha Epps, who had publicly accused former Defendant JEFFREY B. MADDREY of quid pro quo sexual harassment and exposed widespread corruption within the Department's upper ranks.

15. Defendant TISCH also had actual knowledge of the NYPD's continued reliance on the scientifically discredited RIAH (radioimmunoassay of hair) drug testing methodology,

which has been widely criticized for its unreliability, lack of confirmatory protocols, and disproportionate impact on Black and Latino officers.

16. Nevertheless, on May 5, 2025, Plaintiff was subjected to RIAH testing as a condition of returning to active training, despite having already endured a retaliatory suspension based on a biased and procedurally defective investigation.

17. Then, on May 16, 2025, Plaintiff was notified that he had passed his third and final trimester exam with a score of 93, placing him among the top academic performers in his cohort. With this achievement, Plaintiff met all graduation requirements and became eligible for field training, a procedural milestone that should have resulted in seamless advancement.

18. Instead, Plaintiff's status remains shrouded in institutional ambiguity, with no clear explanation provided as to whether, when, or why his career progression has been stalled—further underscoring the retaliatory and selectively enforced conditions imposed under Tisch's command.

19. Upon information and belief, on or about May 14, 2025, Defendant MARTINE N. MATERASSO was publicly documented socializing with Jimmy "Jamie" Rodriguez, an individual publicly identified by former Lucchese crime family member John Pennisi—through his investigative platform *Sitdownnews*—as an associate of the Lucchese organized crime family. The encounter took place at Sobro Garden, 26 Bruckner Boulevard Bronx, NY 10454, and was captured in a publicly accessible, time-stamped Instagram post under the handle @iamjimmyrodriguez.

20. Despite this photographic and geotagged evidence of Defendant MATERASSO's association with a reputed organized crime figure—whose alleged criminal history includes narcotics, prostitution, and money laundering conspiracies—Defendant TISCH, in her capacity

as Police Commissioner, took no corrective or disciplinary action. This conduct constitutes an apparent violation of NYPD Administrative Guide Procedure No. 304-06(8)(c), which prohibits officers from “knowingly associating with persons reasonably believed to be engaged in, likely to engage in, or to have engaged in criminal activity.”

21. Defendant MATERASSO’s continued protection by Department leadership, despite public documentation of this high-risk association, underscores a pattern of selective enforcement and racially biased discipline when contrasted with the retaliatory treatment inflicted upon Plaintiff.

22. Defendant TISCH’s conduct, or deliberate inaction, reflects the very pattern of arbitrary, politically influenced, and rank-dependent discipline that was sharply criticized in the 2019 Report from the Independent Panel on NYPD Disciplinary Reform. That report specifically warned of disciplinary outcomes being shaped not by objective standards or fairness, but by internal politics, favoritism, and the officer’s perceived loyalty to command.

23. As Police Commissioner, Defendant TISCH was entrusted with correcting that culture, not reinforcing it. Instead, she perpetuated the same discriminatory framework by condoning retaliatory discipline against whistleblower-adjacent personnel and shielding command insiders from accountability.

24. Accordingly, Defendant TISCH is sued in her individual capacity under the New York State Human Rights Law (NYSHRL) and the New York City Human Rights Law (NYCHRL) for aiding and abetting unlawful retaliation and race-based discrimination, **and for** fostering and maintaining a selective and retaliatory command structure that directly harmed the Plaintiff.

25. Defendant TANIA I. KINSELLA is, upon information and belief, the First Deputy Commissioner of the New York City Police Department, serving as the Department's second-highest-ranking official and its principal operational executive. In this capacity, Defendant KINSELLA holds significant policymaking and disciplinary authority over Department-wide training, personnel management, and internal disciplinary matters, and is charged with ensuring the fair and lawful administration of NYPD policies and procedures.

26. At all relevant times, Defendant KINSELLA exercised direct oversight and operational authority over the NYPD's disciplinary systems, recruit training programs, and internal investigations, including those affecting Plaintiff.

27. As First Deputy Commissioner, Defendant KINSELLA possessed both actual and constructive knowledge of the facts surrounding Plaintiff EMILIO ANDINO's retaliatory suspension, including his familial association with a known NYPD whistleblower, the discriminatory nature of the underlying investigation, the racially disparate treatment in discipline, and the use of radioimmunoassay of hair (RIAH) drug testing as a post-suspension coercive measure.

28. Despite this knowledge and her legal obligation to ensure that disciplinary actions are applied equitably, transparently, and consistent with civil rights laws, Defendant KINSELLA knowingly permitted, authorized, or ratified the selective and retaliatory enforcement of NYPD policy against Plaintiff—a Black male recruit who was subjected to punitive action not for misconduct, but for resisting racially and sexually charged harassment and for his proximity to protected whistleblower activity.

29. Defendant KINSELLA failed to take any action to prevent or remedy the retaliatory suspension, the biased internal investigation, or the post-suspension retaliation

inflicted upon Plaintiff. These actions were not isolated nor administrative oversight, but occurred with her full awareness and authority, forming part of a broader pattern of institutional retaliation following the EEOC complaint filed by Plaintiff's aunt, retired NYPD Lieutenant Quatisha Epps, who had publicly accused Defendant JEFFREY B. MADDREY of quid pro quo sexual harassment and systemic misconduct within NYPD's executive ranks.

30. Defendant KINSELLA also had actual knowledge of the NYPD's continued reliance on the scientifically discredited RIAH testing methodology, which has been repeatedly criticized for its lack of scientific validity, racial bias, lack of confirmatory testing standards, and its disparate impact on Black and Latino officers. Nonetheless, she allowed its use to continue against Plaintiff as a condition of his reinstatement.

31. On or about May 5, 2025, Plaintiff was subjected to a RIAH hair drug test—despite his prior suspension being the result of a retaliatory, biased, and procedurally deficient investigation. This testing was neither random nor evidence-based but appeared designed to intimidate and undermine Plaintiff's return to active training.

32. Subsequently, on or about May 16, 2025, Plaintiff was informed that he had passed his third and final trimester exam with a score of 93, placing him among the highest academic performers in his training cohort. This accomplishment satisfied all formal requirements for graduation and advancement to field training, marking a key procedural milestone in his police career.

33. Despite having completed all requirements, Plaintiff's status remains shrouded in ambiguity, with no transparent explanation provided by Department leadership regarding when, whether, or why he will be permitted to proceed to graduation or field assignment. This institutional uncertainty—imposed in the wake of retaliatory treatment and testing—further

reflects a pattern of selective enforcement, bureaucratic delay, and retaliatory discretion exercised under Defendant KINSELLA's leadership.

34. Upon information and belief, on or about May 14, 2025, Defendant MARTINE N. MATERASSO, the NYPD's Chief of Training, was publicly documented socializing with Jimmy "Jamie" Rodriguez, a publicly identified associate of the Lucchese crime family, as confirmed by former Lucchese member John Pennisi through his investigative platform *Sitdownnews*. The encounter occurred at Sobro Garden, 26 Bruckner Boulevard, Bronx, NY 10454, and was captured in a public Instagram post under the handle @iamjimmyrodriguez, complete with time-stamp and geotag data.

35. Despite this public documentation of Defendant MATERASSO's association with a reputed organized crime figure—whose alleged criminal history includes narcotics trafficking, prostitution, and money laundering conspiracies—Defendant KINSELLA took no corrective, investigatory, or disciplinary action, even though such contact appears to violate NYPD Administrative Guide Procedure No. 304-06(8)(c), which prohibits officers from “knowingly associating with persons reasonably believed to be engaged in, likely to engage in, or to have engaged in criminal activity.”

36. Defendant MATERASSO's continued protection by Department leadership—despite public, evidentiary documentation of her high-risk association—stands in stark contrast to the retaliatory discipline imposed on Plaintiff, who was suspended, isolated, drug-tested, and sidelined from field advancement after confronting racist harassment and standing adjacent to whistleblower disclosures. This disparity further illustrates the racial and institutional double standards tolerated and enforced under Defendant KINSELLA's supervision.

37. Defendant KINSELLA's conduct mirrors the very pattern of arbitrary, political, and rank-dependent discipline condemned in the 2019 Report from the Independent Panel on NYPD Disciplinary Reform, which found that the Department's disciplinary decisions were often driven more by internal politics and favoritism than by fairness or facts. The Report specifically criticized the inconsistency and lack of transparency in how discipline is imposed across rank, race, and political alignment.

38. Rather than correct these systemic flaws, Defendant KINSELLA perpetuated the same discriminatory culture—failing to hold senior command staff accountable for obvious misconduct while reinforcing punitive discipline against whistleblower-adjacent recruits like Plaintiff. Her refusal to intervene or apply the Department's rules equitably reflects a command structure premised on selective protection and retaliatory enforcement.

39. Accordingly, Defendant TANIA I. KINSELLA is sued in her individual capacity under the New York State Human Rights Law (NYSHRL) and the New York City Human Rights Law (NYCHRL) for aiding and abetting unlawful retaliation and race-based discrimination, and for fostering, maintaining, and ratifying a selective and retaliatory disciplinary regime that caused direct harm to Plaintiff EMILIO ANDINO.

40. Defendant JEFFREY B. MADDREY was, upon information and belief, the Chief of Department of the NYPD at the time Plaintiff's aunt, retired Lieutenant Quatisha Epps, filed a formal Charge of Discrimination and publicly disclosed allegations of quid pro quo sexual harassment and systemic misconduct involving NYPD executive leadership. Defendant MADDREY is sued in his capacity under the NYSHRL and NYCHRL for aiding and abetting unlawful retaliation and for fostering a discriminatory and retaliatory institutional culture that directly impacted Plaintiff.

41. Defendant MARTINE N. MATERASSO is, upon information and belief, the Chief of Training for the New York City Police Department, responsible for the overall supervision, discipline, and academic evaluation of probationary officers assigned to the Police Academy. In that capacity, Defendant MATERASSO exercises significant command authority over decisions involving recruit investigations, suspensions, and progression through the NYPD training pipeline.

42. On or about April 1, 2025, Defendant MATERASSO was directly responsible for overseeing and authorizing the investigation and subsequent suspension without pay of Plaintiff EMILIO ANDINO, a Black male recruit. The investigation was initiated following a racially and sexually charged incident involving a Asian fellow recruit, and it resulted in disciplinary action against Plaintiff while no action was taken against the Defendant BAHRON ASLIEV, despite corroborating witness accounts that supported Plaintiff's version of events. Defendant MATERASSO failed to ensure a fair, unbiased, or procedurally sound process, and took no steps to prevent or correct the disparate and retaliatory treatment directed at Plaintiff.

43. Following Plaintiff's suspension, and despite his clean record and strong academic performance, Plaintiff was subjected to radioimmunoassay of hair (RIAH) drug testing upon his return to training. Although the source of the testing directive remains unclear, Defendant MATERASSO, in her role as Chief of Training, did not intervene or object, and ratified Plaintiff's continued marginalization by failing to remove the retaliatory barriers to his graduation and field training eligibility.

44. On or about May 14, 2025, Defendant MATERASSO was publicly photographed socializing with Jimmy "Jamie" Rodriguez, a publicly identified associate of the Lucchese crime family, at Sobro Garden, 26 Bruckner Boulevard, Bronx, NY 10454. This incident was

memorialized in a publicly accessible, time-stamped Instagram post under the handle @iamjimmyrodriguez. As publicly disclosed by former Lucchese member John Pennisi on the investigative platform *Sitdownnews*, Rodriguez has a documented history involving narcotics distribution, prostitution, and money laundering conspiracies, and has been linked to ongoing organized crime activities.

45. Defendant MATERASSO's conduct appears to constitute a clear violation of NYPD Administrative Guide Procedure No. 304-06(8)(c), which prohibits officers from "knowingly associating with persons reasonably believed to be engaged in, likely to engage in, or to have engaged in criminal activity." Despite this apparent violation, no disciplinary action was initiated against Defendant MATERASSO, highlighting the disparate standards of accountability applied within the Department.

46. This disparity is particularly glaring when contrasted with Plaintiff's experience: a Black recruit suspended for verbally responding to racialized and sexual harassment, subjected to questionable drug testing, and denied graduation despite earning a 93 on his third trimester examination. While Plaintiff was isolated, scrutinized, and stalled without explanation, Defendant MATERASSO's public association with a known organized crime figure was effectively ignored by Department leadership.

47. In her role as Chief of Training, Defendant MATERASSO failed to ensure that Plaintiff's return to training was handled fairly and free from retaliatory influence. She took no steps to advance Plaintiff's career progression even after he satisfied all academic and procedural requirements for graduation and field training. Her inaction and selective enforcement of policy reflect an entrenched culture of racial and institutional bias within her command.

48. Accordingly, Defendant MARTINE N. MATERASSO is sued in her individual capacity under the New York State Human Rights Law (NYSHRL) and New York City Human Rights Law (NYCHRL) for aiding and abetting unlawful retaliation and race-based discrimination, and for knowingly maintaining and enforcing a discriminatory and retaliatory command environment that caused Plaintiff EMILIO ANDINO direct harm.

49. Defendant ANGEL L. FIGUEROA is, upon information and belief, the Commanding Officer of the NYPD Police Academy, with direct supervisory authority over the day-to-day administration of recruit training, command discipline, personnel performance, and the application of policies governing the Police Academy. In this capacity, Defendant FIGUEROA is responsible for ensuring the fair, lawful, and consistent treatment of probationary officers, including Plaintiff EMILIO ANDINO.

50. At all relevant times, Defendant FIGUEROA had actual and constructive knowledge of the facts surrounding Plaintiff's retaliatory suspension on or about April 1, 2025, which arose from a racially and sexually charged incident initiated by Defendant BHRON ASLIEV. Despite witness accounts supporting Plaintiff's response to the harassment, Defendant FIGUEROA permitted the investigation and suspension to proceed without intervention, and took no action to halt or correct the discriminatory and retaliatory process that followed.

51. Defendant FIGUEROA was also aware that Plaintiff—who had previously exhibited strong academic performance and professional conduct—was subjected to radioimmunoassay of hair (RIAH) drug testing as a condition of returning to training. Although the precise directive for the test remains unclear, Defendant FIGUEROA neither questioned its validity nor took action to protect Plaintiff from being subjected to a scientifically controversial and racially biased testing method.

52. Upon Plaintiff's return to training, Defendant FIGUEROA failed to facilitate Plaintiff's timely reintegration into the academy process, despite his exemplary score of 93 on the third and final trimester examination—a score that placed him among the top candidates and rendered him fully eligible for graduation and field deployment. Instead, Plaintiff's status was left unresolved and undefined, with no clear explanation or pathway for advancement, further compounding the retaliatory harm inflicted.

53. As Commanding Officer of the Police Academy, Defendant FIGUEROA had the authority and institutional duty to correct the inequities, halt the retaliation, and ensure equal treatment under NYPD policy and applicable civil rights law. He failed to do so, allowing Plaintiff to remain in a state of institutional limbo, while senior officials within the same command—such as Defendant MARTINE N. MATERASSO—engaged in publicly documented violations of criminal association policy without consequence.

54. Defendant FIGUEROA's inaction amid clearly documented evidence of racial bias, retaliatory conduct, and procedural irregularity reflects a command-level failure to uphold the Department's obligations under Administrative Code § 14-115, the NYSHRL, and the NYCHRL. His failure to act—despite knowledge of Plaintiff's protected status and record of academic excellence—contributed to the hostile and retaliatory environment in which Plaintiff was forced to operate.

55. Accordingly, Defendant ANGEL L. FIGUEROA is sued in his individual capacity under the New York State Human Rights Law (NYSHRL) and the New York City Human Rights Law (NYCHRL) for aiding and abetting unlawful retaliation, race-based discrimination, and the perpetuation of a selectively enforced disciplinary structure that deprived Plaintiff of equal treatment and advancement.

56. Defendant ARSENIO CAMILO is, upon information and belief, the Executive Officer of the NYPD Police Academy, with direct supervisory authority over the day-to-day administration of recruit training, command discipline, personnel performance, and the application of policies governing the Police Academy. In this capacity, Defendant CAMILO is responsible for ensuring the fair, lawful, and consistent treatment of probationary officers, including Plaintiff EMILIO ANDINO.

57. At all relevant times, Defendant CAMILO had actual and constructive knowledge of the facts surrounding Plaintiff's retaliatory suspension on or about April 1, 2025, which arose from a racially and sexually charged incident initiated by Defendant BHRON ASLIEV. Despite witness accounts supporting Plaintiff's response to the harassment, Defendant CAMILO permitted the investigation and suspension to proceed without intervention, and took no action to halt or correct the discriminatory and retaliatory process that followed.

58. Defendant CAMILO was also aware that Plaintiff—who had previously exhibited strong academic performance and professional conduct—was subjected to radioimmunoassay of hair (RIAH) drug testing as a condition of returning to training. Although the precise directive for the test remains unclear, Defendant CAMILO neither questioned its validity nor took action to protect Plaintiff from being subjected to a scientifically controversial and racially biased testing method.

59. Upon Plaintiff's return to training, Defendant CAMILO failed to facilitate Plaintiff's timely reintegration into the academy process, despite his exemplary score of 93 on the third and final trimester examination—a score that placed him among the top candidates and rendered him fully eligible for graduation and field deployment. Instead, Plaintiff's status was

left unresolved and undefined, with no clear explanation or pathway for advancement, further compounding the retaliatory harm inflicted.

60. As Commanding Officer of the Police Academy, Defendant CAMILO had the authority and institutional duty to correct the inequities, halt the retaliation, and ensure equal treatment under NYPD policy and applicable civil rights law. He failed to do so, allowing Plaintiff to remain in a state of institutional limbo, while senior officials within the same command—such as Defendant MARTINE N. MATERASSO—engaged in publicly documented violations of criminal association policy without consequence.

61. Defendant CAMILO's inaction amid clearly documented evidence of racial bias, retaliatory conduct, and procedural irregularity reflects a command-level failure to uphold the Department's obligations under Administrative Code § 14-115, the NYSHRL, and the NYCHRL. His failure to act—despite knowledge of Plaintiff's protected status and record of academic excellence—contributed to the hostile and retaliatory environment in which Plaintiff was forced to operate.

62. Accordingly, Defendant ARSENIO CAMILO is sued in his individual capacity under the New York State Human Rights Law (NYSHRL) and the New York City Human Rights Law (NYCHRL) for aiding and abetting unlawful retaliation, race-based discrimination, and the perpetuation of a selectively enforced disciplinary structure that deprived Plaintiff of equal treatment and advancement.

63. Defendant ELIZABETH M. LABOY is, upon information and belief, a lieutenant assigned to the NYPD Police Academy, with direct supervisory authority over the day-to-day administration of recruit training, command discipline, personnel performance, and the application of policies governing the Police Academy. In this capacity, Defendant LABOY is

responsible for ensuring the fair, lawful, and consistent treatment of probationary officers, including Plaintiff EMILIO ANDINO.

64. At all relevant times, Defendant LABOY had actual and constructive knowledge of the facts surrounding Plaintiff's retaliatory suspension on or about April 1, 2025, which arose from a racially and sexually charged incident initiated by Defendant BAHRON ASLIEV. Despite witness accounts supporting Plaintiff's response to the harassment, Defendant LABOY permitted the investigation and suspension to proceed without intervention, and took no action to halt or correct the discriminatory and retaliatory process that followed.

65. Defendant LABOY was also aware that Plaintiff—who had previously exhibited strong academic performance and professional conduct—was subjected to radioimmunoassay of hair (RIAH) drug testing as a condition of returning to training. Although the precise directive for the test remains unclear, Defendant LABOY neither questioned its validity nor took action to protect Plaintiff from being subjected to a scientifically controversial and racially biased testing method.

66. Upon Plaintiff's return to training, Defendant LABOY failed to facilitate Plaintiff's timely reintegration into the academy process, despite his exemplary score of 93 on the third and final trimester examination—a score that placed him among the top candidates and rendered him fully eligible for graduation and field deployment. Instead, Plaintiff's status was left unresolved and undefined, with no clear explanation or pathway for advancement, further compounding the retaliatory harm inflicted.

67. As a lieutenant, Defendant CAMILO had the authority and institutional duty to correct the inequities, halt the retaliation, and ensure equal treatment under NYPD policy and applicable civil rights law. She failed to do so, allowing Plaintiff to remain in a state of

institutional limbo, while senior officials within the same command—such as Defendant MARTINE N. MATERASSO—engaged in publicly documented violations of criminal association policy without consequence.

68. Defendant LABOY's inaction amid clearly documented evidence of racial bias, retaliatory conduct, and procedural irregularity reflects a command-level failure to uphold the Department's obligations under Administrative Code § 14-115, the NYSHRL, and the NYCHRL. Her failure to act—despite knowledge of Plaintiff's protected status and record of academic excellence—contributed to the hostile and retaliatory environment in which Plaintiff was forced to operate.

69. Accordingly, Defendant ELIZABETH M. LABOY is sued in her individual capacity under the New York State Human Rights Law (NYSHRL) and the New York City Human Rights Law (NYCHRL) for aiding and abetting unlawful retaliation, race-based discrimination, and the perpetuation of a selectively enforced disciplinary structure that deprived Plaintiff of equal treatment and advancement.

70. Defendant JOSE L. CARABALLO is, upon information and belief, a lieutenant assigned to the NYPD Police Academy, with direct supervisory authority over the day-to-day administration of recruit training, command discipline, personnel performance, and the application of policies governing the Police Academy. In this capacity, Defendant CARABALLO is responsible for ensuring the fair, lawful, and consistent treatment of probationary officers, including Plaintiff EMILIO ANDINO.

71. At all relevant times, Defendant CARABALLO had actual and constructive knowledge of the facts surrounding Plaintiff's retaliatory suspension on or about April 1, 2025, which arose from a racially and sexually charged incident initiated by Defendant BAHRON

ASLIEV. Despite witness accounts supporting Plaintiff's response to the harassment, Defendant LABOY permitted the investigation and suspension to proceed without intervention, and took no action to halt or correct the discriminatory and retaliatory process that followed.

72. Defendant CARABALLO was also aware that Plaintiff—who had previously exhibited strong academic performance and professional conduct—was subjected to radioimmunoassay of hair (RIAH) drug testing as a condition of returning to training. Although the precise directive for the test remains unclear, Defendant CARABALLO neither questioned its validity nor took action to protect Plaintiff from being subjected to a scientifically controversial and racially biased testing method.

73. Upon Plaintiff's return to training, Defendant CARABALLO failed to facilitate Plaintiff's timely reintegration into the academy process, despite his exemplary score of 93 on the third and final trimester examination—a score that placed him among the top candidates and rendered him fully eligible for graduation and field deployment. Instead, Plaintiff's status was left unresolved and undefined, with no clear explanation or pathway for advancement, further compounding the retaliatory harm inflicted.

74. As a lieutenant, Defendant CARABALLO had the authority and institutional duty to correct the inequities, halt the retaliation, and ensure equal treatment under NYPD policy and applicable civil rights law. He failed to do so, allowing Plaintiff to remain in a state of institutional limbo, while senior officials within the same command—such as Defendant MARTINE N. MATERASSO—engaged in publicly documented violations of criminal association policy without consequence.

75. Defendant CARABALLO's inaction amid clearly documented evidence of racial bias, retaliatory conduct, and procedural irregularity reflects a command-level failure to uphold

the Department's obligations under Administrative Code § 14-115, the NYSHRL, and the NYCHRL. His failure to act—despite knowledge of Plaintiff's protected status and record of academic excellence—contributed to the hostile and retaliatory environment in which Plaintiff was forced to operate.

76. Accordingly, Defendant JOSE L. CARABALLO is sued in his individual capacity under the New York State Human Rights Law (NYSHRL) and the New York City Human Rights Law (NYCHRL) for aiding and abetting unlawful retaliation, race-based discrimination, and the perpetuation of a selectively enforced disciplinary structure that deprived Plaintiff of equal treatment and advancement.

77. Defendant BRIAN T. HENRY is, upon information and belief, employed by the New York City Police Department and served at all relevant times as a Police Benevolent Association (PBA) Delegate assigned to the NYPD Police Academy. In this capacity, Defendant HENRY held a position of representational responsibility for probationary officers and was specifically entrusted with advocating for their rights and protections under Department policy and applicable law. He is sued in both his individual and official capacities.

78. Upon information and belief, Defendant HENRY had actual knowledge of the racially and sexually charged incident involving Plaintiff and Defendant BAHRON ASLIEV, the retaliatory suspension that followed on or about April 1, 2025, and the Department's continued use of discredited RIAH drug testing as a condition of Plaintiff's reinstatement. Despite his duty to represent Plaintiff's interests, Defendant HENRY failed to raise any meaningful objection to the biased investigation or to intervene in the disciplinary process that disproportionately targeted Plaintiff, a Black male recruit with a known familial association to a whistleblower.

79. Defendant HENRY also failed to report or act upon the disparate treatment Plaintiff endured, including the Department's refusal to discipline the instigator of the harassment and the stalling of Plaintiff's advancement despite his exemplary academic performance. Instead, Defendant HENRY acted in alignment with command staff and acquiesced in the continuation of retaliatory and discriminatory practices, thereby abdicating his responsibilities as a delegate and compounding the harm inflicted on Plaintiff.

80. Accordingly, Defendant BRIAN T. HENRY is sued under the New York State Human Rights Law (NYSHRL) and New York City Human Rights Law (NYCHRL) for aiding and abetting unlawful retaliation, race-based discrimination, and failing to discharge his representative obligations to protect the civil rights of Plaintiff EMILIO ANDINO.

81. Defendant BAHRON ASLIEV is, upon information and belief, a current or former recruit assigned to the NYPD Police Academy during the relevant period. He is sued in both his individual and official capacities, including for his personal role in initiating the discriminatory and retaliatory treatment inflicted upon Plaintiff EMILIO ANDINO.

82. Upon information and belief, Defendant ASLIEV was the initial aggressor in a racially and sexually charged verbal altercation that occurred in or around March 2025 at the Police Academy. During this incident, Defendant ASLIEV made inappropriate, derogatory, and inflammatory remarks that included references to race and gender in the context of Plaintiff's familial relationship with retired Lieutenant Quatisha Epps, a whistleblower who had publicly accused NYPD officials of quid pro quo sexual harassment.

83. Despite Defendant ASLIEV's instigation and misconduct, which was corroborated by one or more witnesses, no disciplinary action was taken against him. Instead, Plaintiff was suspended without pay in a retaliatory response that was endorsed by command

staff. Defendant ASLIEV was permitted to continue training without consequence, reinforcing the institutional double standards and racial disparities Plaintiff experienced.

84. Defendant ASLIEV's conduct was not isolated but consistent with a broader hostile and retaliatory environment tolerated by the Police Academy's leadership. His use of offensive language and personal targeting of Plaintiff—based on familial ties to protected whistleblower activity—constitutes actionable harassment and contributed directly to the discriminatory suspension, coercive testing, and career obstruction Plaintiff endured.

85. Accordingly, Defendant BAHRON ASLIEV is sued in his individual and official capacities under the New York State Human Rights Law (NYSHRL) and the New York City Human Rights Law (NYCHRL) for engaging in racially and sexually hostile conduct, for retaliatory harassment, and for aiding and abetting the violation of Plaintiff's civil rights through conduct that was either condoned or ignored by Department leadership.

86. Defendants DWAYNE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA are, upon information and belief, members of the New York City Police Department assigned during the relevant period to the Internal Affairs Bureau (IAB), the unit specifically charged with investigating allegations of misconduct, abuse of authority, and integrity violations within the Department. Each defendant is sued in his or her individual and official capacities.

87. As specially assigned IAB officers, Defendants HARRIS, HALL, DEANGELIS, and VERNA held heightened responsibilities to maintain investigative neutrality, ensure due process, and uphold the integrity of internal proceedings. These responsibilities are especially significant in disciplinary matters involving allegations of discrimination, retaliation, or protected activity.

88. Upon information and belief, these defendants were directly involved in and present during the investigation that led to Plaintiff EMILIO ANDINO's suspension without pay on or about April 1, 2025. Despite their training and duty to investigate misconduct impartially, Defendants HARRIS, HALL, DEANGELIS, and VERNA failed to conduct a thorough, objective, or procedurally fair investigation, and instead participated in a biased and retaliatory process aimed at punishing Plaintiff for his familial association with whistleblower Lieutenant Quatisha Epps.

89. These defendants failed to gather and evaluate critical exculpatory evidence, including witness accounts that corroborated Plaintiff's version of events and pointed to the misconduct of fellow recruit Defendant BHRON ASLIEV, who instigated the underlying incident with racially and sexually charged remarks. Instead, Defendants HARRIS, HALL, DEANGELIS, and VERNA accepted or endorsed a version of events inconsistent with the facts and biased against Plaintiff, contributing materially to the Department's unlawful suspension decision.

90. By virtue of their IAB assignments, these defendants had the authority—and legal obligation—to recommend corrective action, decline to proceed with discipline, or refer the matter for further impartial review. Their deliberate inaction and complicity in the flawed process directly enabled Plaintiff's retaliatory suspension and the cascade of harm that followed, including the coercive RIAH drug testing and career obstruction.

91. Accordingly, Defendants DWAYNE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA are each sued under the New York State Human Rights Law (NYSHRL) and the New York City Human Rights Law (NYCHRL) for aiding and abetting unlawful retaliation and race-based discrimination, and for their roles in conducting and

endorsing a biased internal investigation that directly violated Plaintiff's civil rights and contributed to the hostile, retaliatory environment he endured within the NYPD.

OFFICER BACKGROUNDS AND PATTERN OF MISCONDUCT

Institutional Harm and Retaliatory Command Culture: The Checkered NYPD Career of Defendant JEFFREY B. MADDREY and the Silencing of Dissent

92. Upon information and belief, Defendant JEFFREY B. MADDREY is a 53-year-old Black male who served as Chief of the Department of the New York City Police Department from December 2022 until his resignation in December 2024. MADDREY began his service with the Department in April 1991. He previously held senior commands in the Patrol Services Bureau, Housing Bureau, Community Affairs Bureau, Patrol Borough Brooklyn North, and the 73rd and 75th Precincts. In 2024, his reported earnings exceeded \$292,000.

93. At the time retired NYPD Lieutenant Quatisha Epps filed a formal Charge of Discrimination with the United States Equal Employment Opportunity Commission and publicly disclosed allegations of quid pro quo sexual harassment and institutional corruption, MADDREY held the highest-ranking uniformed position in the NYPD. He resigned within hours of the public disclosure.

94. Defendant MADDREY has been named in multiple ongoing federal lawsuits involving allegations of sexual harassment, retaliation, abuse of authority, and First Amendment violations, including but not limited to *Gabrielle Walls v. City of New York, et al.*, and *Dana Rachlin v. City of New York, et al.* In *Rachlin*, filed in the Eastern District of New York, Maddrey is accused of knowingly participating in a retaliatory campaign that involved the unauthorized release of confidential rape information about a well-known police reform advocate with whom he previously collaborated, to discredit her following her public criticism of violent policing practices and high-ranking officials.

95. According to court documents and investigative reporting by *THE CITY*, *The New York Times*, and *Hellgate*, MADDREY is alleged to have encouraged Rachlin to report her 2017 sexual assault, assured her that the details would remain confidential, and later took no action when those details—including names of investigators, recorded calls, and investigatory summaries—were weaponized in anonymous retaliation letters circulated throughout NYPD precincts, falsely accusing Rachlin of fabricating the assault. The lawsuit alleges MADDREY failed to intervene, report, or discipline the personnel involved, despite knowing Rachlin was targeted.

96. MADDREY has also been publicly associated with internal campaigns of retaliation and control, including the coordinated professional and reputational targeting of those deemed “disloyal” to NYPD leadership. As alleged in these lawsuits, his conduct reflects a culture in which NYPD executive leadership engages in pretextual investigations, leaks of privileged information, and smear tactics to suppress dissent and protect those with institutional power.

97. In addition to these pending lawsuits, MADDREY has been the subject of at least eight civilian complaints involving twenty allegations of misconduct, including abuse of authority, excessive force, threats of arrest, and discourtesy. Four allegations have been substantiated by the Civilian Complaint Review Board, including an incident involving a child aged 10–14. He pleaded guilty in a 2017 NYPD internal disciplinary proceeding to misconduct stemming from an inappropriate “consensual” sexual relationship with a subordinate female officer. As part of that proceeding, he admitted to obstructing an official Department investigation and making false statements about the nature of their relationship. He was penalized with the forfeiture of 45 vacation days, yet was not terminated under established

Department policy governing misconduct involving dishonesty and abuse of supervisory authority.

98. MADDREY has been named in at least sixteen civil lawsuits, including *Slater v. City of New York*, which settled for \$95,000, and other high-profile matters involving allegations of excessive force, unlawful arrest, and civil rights violations. These cases further reflect the widespread and unchecked nature of the misconduct tied to his leadership.

99. Despite this history, MADDREY retained full command authority when Epps filed her EEOC charge and made public statements implicating his conduct and the broader failures of NYPD leadership. Upon information and belief, Plaintiff alleges that MADDREY's retaliatory posture and command influence directly contributed to the discriminatory and retaliatory actions taken against Plaintiff by those within the Police Academy and across the Department.

100. MADDREY's leadership exemplifies the NYPD's systemic tolerance of coercion, retaliatory abuse of power, and misuse of internal mechanisms to target critics and silence opposition. The events underlying Plaintiff's suspension and potential constructive discharge occurred in the immediate aftermath of Epps's protected disclosures, in an institutional climate shaped and normalized by Maddrey's documented record of retaliation, misconduct, and administrative impunity.

Summary of Defendant MARTINE N. MATERASSO's Role and Misconduct

101. Defendant MARTINE N. MATERASSO is the Chief of Training for the NYPD, responsible for overseeing the Police Academy and the recruit training process. In that capacity, she held direct command authority over the investigation and suspension of Plaintiff EMILIO ANDINO on or about April 1, 2025, following a racially and sexually charged incident instigated

by Defendant BAHRON ASLIEV. Despite witness accounts corroborating Plaintiff's version of events, Defendant MATERASSO allowed a biased and retaliatory disciplinary process to proceed, resulting in Plaintiff's suspension without pay.

102. Upon Plaintiff's return, Defendant MATERASSO failed to advocate for or facilitate his timely reintegration, despite his exemplary academic performance, including a score of 93 on his final trimester exam, which qualified him for graduation and field training. She took no action to remove or address the retaliatory barriers placed in his path.

103. Compounding her misconduct, on or about May 14, 2025, Defendant MATERASSO was publicly documented socializing with Jimmy "Jamie" Rodriguez, an alleged Lucchese crime family associate, at Sobro Garden in the Bronx—a direct violation of NYPD Administrative Guide Procedure No. 304-06(8)(c), which prohibits associations with individuals reasonably believed to be engaged in criminal activity. Despite this apparent violation, no investigation or discipline was imposed on Defendant MATERASSO, underscoring a pattern of selective enforcement and racial double standards within NYPD leadership.

104. As a senior policymaker within the Department, Defendant MATERASSO's inaction, protection from accountability, and retaliatory treatment of Plaintiff contributed materially to the hostile, discriminatory, and career-stalling environment Plaintiff endured.

Summary of Defendant ANGEL L. FIGUEROA's Role and Misconduct

105. Defendant ANGEL L. FIGUEROA is, upon information and belief, an Inspector assigned to the NYPD Police Academy, where he has served as the Commanding Officer of Payroll and Roll Call since approximately July 2024. He previously held positions within the Risk Management Bureau, Professional Standards Bureau, and precinct-level patrol commands. As a high-ranking officer with operational authority over recruit administration, Defendant

FIGUEROA had direct oversight over the conditions under which Plaintiff EMILIO ANDINO was investigated, suspended, and subsequently denied advancement within the NYPD training pipeline.

106. At all relevant times, Defendant FIGUEROA possessed both actual and constructive knowledge of the racially and sexually charged incident that led to Plaintiff's suspension on or about April 1, 2025, and of the broader context—including Plaintiff's familial association with NYPD whistleblower Lieutenant Quatisha Epps. Despite this knowledge, Defendant FIGUEROA failed to intervene, challenge, or correct the retaliatory disciplinary process or the subsequent application of radioimmunoassay of hair (RIAH) drug testing, a discredited and racially biased method used to further marginalize Plaintiff.

107. Notably, Defendant FIGUEROA took no action to advance Plaintiff's training status, even after Plaintiff earned a score of 93 on his third trimester examination, rendering him fully eligible for graduation and field deployment. Instead, Plaintiff was left in a state of procedural limbo without explanation, while similarly situated white recruits faced no such obstruction.

108. Defendant FIGUEROA's pattern of indifference to misconduct is further reflected in his disciplinary and litigation history. He has been the subject of five CCRB complaints involving 14 allegations, including multiple use-of-force and discourtesy allegations, with several complaints involving teenagers and vulnerable individuals. While the majority of allegations were classified as "unsubstantiated" or "exonerated", the volume and nature of the complaints—combined with his presence in internal bureaus like Risk Management and Professional Standards—raise serious concerns about his role in enabling misconduct and evading accountability.

109. Additionally, Defendant FIGUEROA has been named in two federal civil rights lawsuits, including one case alleging excessive force, unlawful strip-searching, and failure to intervene, and another involving allegations of NYPD assault and serious injury to a civilian. Although neither case resulted in a public finding of liability against FIGUEROA, these cases further underscore a pattern of controversial conduct in use-of-force and internal accountability settings.

110. Taken together, Defendant FIGUEROA's failure to halt the racially and retaliatorily motivated treatment of Plaintiff, his refusal to address Plaintiff's procedural advancement, and his own track record of complaints and civil rights litigation support the claim that he knowingly participated in, ratified, and maintained a selectively enforced and institutionally retaliatory disciplinary structure.

Summary of Defendant ARSENIO CAMILO's Role and Misconduct

111. Defendant ARSENIO CAMILO is, upon information and belief, a Deputy Inspector assigned to the NYPD Police Academy, where he has served as a command-level supervisor over Payroll and Roll Call operations since December 2024. His law enforcement career spans multiple precincts and units—including the Internal Affairs Bureau, Transit Bureau, and Risk Management Bureau—with service dating back to 2005.

112. As a senior official assigned to the Police Academy during the relevant period, Defendant CAMILO held direct operational authority over recruit discipline, administration, and assignment management, including for Plaintiff EMILIO ANDINO. At all relevant times, Defendant CAMILO had actual and constructive knowledge of Plaintiff's retaliatory suspension on or about April 1, 2025, following a racially and sexually charged confrontation initiated by fellow recruit Defendant BAHRON ASLIEV. Despite corroborating witness statements

supporting Plaintiff, Defendant CAMILO took no action to challenge or correct the biased investigatory findings or the suspension outcome.

113. Defendant CAMILO also had knowledge of the coercive application of radioimmunoassay of hair (RIAH) drug testing against Plaintiff, despite the method's lack of scientific reliability and well-documented racial bias. He failed to object to its use, protect Plaintiff's procedural rights, or remedy the discriminatory disciplinary trajectory that followed.

114. Despite Plaintiff's exceptional academic performance—including a score of 93 on his final trimester exam—which rendered him fully qualified for graduation and field training, Defendant CAMILO allowed Plaintiff to remain in an unresolved administrative state. No explanation was provided for the Department's refusal to advance Plaintiff, underscoring the retaliatory and racially disparate enforcement of training standards under Defendant CAMILO's supervision.

115. Importantly, Defendant CAMILO has a significant disciplinary and misconduct history, including six substantiated CCRB allegations across five complaints, many involving abuse of authority, retaliatory arrest, improper stops and searches, and interference with civilian rights. In CCRB Case #201404671, the Board substantiated multiple charges, including retaliatory arrest and abuse of authority, which led to a formal finding of guilt at a departmental trial and a penalty of 12 vacation days forfeited. A prior case (#200802601) resulted in three additional substantiated charges related to improper stops and searches of a Black male. These findings reflect a pattern of aggressive, rule-defying conduct that mirrors the selective enforcement behavior exhibited toward Plaintiff.

116. Taken together, Defendant CAMILO's failure to correct Plaintiff's mistreatment, his refusal to act despite full knowledge of Plaintiff's eligibility for graduation, and his

disciplinary history of violating civilian rights all support Plaintiff's claims that the NYPD's training command operates under a regime of racially biased, retaliatory, and command-protective misconduct.

Summary of Defendant ELIZABETH M. LABOY's Role and Misconduct

117. Defendant ELIZABETH M. LABOY is, upon information and belief, a Lieutenant assigned to the NYPD Police Academy, with direct supervisory authority over probationary officers, including Plaintiff EMILIO ANDINO. In that role, she was responsible for overseeing daily recruit conduct, academic progress, remedial discipline, and internal compliance with NYPD training and personnel standards.

118. At all relevant times, Defendant LABOY had actual and constructive knowledge of the circumstances surrounding Plaintiff's retaliatory suspension on or about April 1, 2025, which stemmed from a racially and sexually charged verbal incident initiated by fellow recruit Defendant BAHRON ASLIEV. Despite the existence of witness statements corroborating Plaintiff's response and implicating the instigator, Defendant LABOY took no steps to halt, challenge, or question the investigation or suspension, which was clearly tainted by bias and selective enforcement.

119. Upon Plaintiff's return to the Academy, Defendant LABOY maintained direct supervisory contact with him and had full knowledge that he had been subjected to RIAH (radioimmunoassay of hair) drug testing—a scientifically controversial and racially discriminatory method—as a condition of continuing his training. Though she did not order the test herself, Defendant LABOY did nothing to challenge its application or to safeguard Plaintiff's rights against continued retaliation.

120. On or about May 16, 2025, Plaintiff received a score of 93 on his final trimester examination, placing him among the highest-performing recruits in his class and making him fully eligible for graduation and field deployment. Despite this, Defendant LABOY failed to advocate for Plaintiff's timely advancement, raise concerns about his stalled status, or report the retaliatory obstruction of his career progression. Instead, she permitted Plaintiff to remain in a state of unexplained administrative limbo, reinforcing the broader pattern of punitive treatment and racial disparity.

121. As a supervisory lieutenant within the Police Academy, Defendant LABOY had the authority—and legal obligation—to intervene, advocate, or report retaliation when it occurred under her watch. Her refusal to act, despite clear knowledge of Plaintiff's whistleblower association, academic achievement, and procedural eligibility, directly contributed to the hostile, retaliatory, and selectively enforced disciplinary culture Plaintiff experienced.

Summary of Defendant JOSE L. CARABALLO's Role and Disciplinary History

122. Defendant JOSE L. CARABALLO is, upon information and belief, a Hispanic male Lieutenant assigned to the NYPD Police Academy's Payroll and Roll Call unit since approximately June 2021. He has served with the Department since July 2006, previously assigned to the 52nd Precinct.

123. On or about April 1, 2025, Defendant CARABALLO directly responded to the racially and sexually charged incident between Plaintiff EMILIO ANDINO and fellow recruit Defendant BAHRON ASLIEV. Despite holding supervisory authority and having access to relevant reports, witnesses, and surveillance footage, Defendant CARABALLO failed to conduct or initiate a proper investigation. He did not interview the Plaintiff, secure or review video

evidence, or initiate a mandatory referral to the Office of Equity and Inclusion—actions required under NYPD policy in cases involving potential bias-based harassment.

124. Instead, Defendant CARABALLO adopted and promoted a false narrative that framed Defendant ASLIEV—the instigator—as the victim, and Plaintiff as the aggressor. His conduct mirrored that of Defendant ELIZABETH M. LABOY, who also failed to intervene, investigate, or follow policy. Together, their non-investigatory posture served to isolate, marginalize, and punish Plaintiff for his familial connection to retired Lieutenant Quatisha Epps, a whistleblower who had exposed misconduct at the highest levels of NYPD command.

125. Plaintiff alleges that Defendant CARABALLO's conduct was not merely negligent, but retaliatory, influenced by institutional hostility toward Plaintiff's protected association with Epps. Despite clear evidence of discriminatory animus and racialized harassment directed at Plaintiff, CARABALLO took no steps to apply or enforce the Department's anti-discrimination protocols, instead functioning as an enabler of retaliatory discipline.

126. Defendant CARABALLO's failure to uphold his duties is consistent with a troubling disciplinary and litigation history.

127. He has been named in three federal civil rights lawsuits that collectively resulted in over \$207,500 in taxpayer-funded settlements. These include:

- *Cabrera v. City of New York* – \$125,001 settlement (alleging unlawful arrest),
- *Perez v. City of New York* – \$75,000 settlement (alleging excessive force),
- *Martinez-Dejesus v. City of New York* – \$7,500 settlement (alleging procedural violations).

128. He has also been the subject of three Civilian Complaint Review Board (CCRB) complaints, involving five allegations, including the use of physical force and discourteous conduct toward civilians, including elderly and minority individuals. Although none were substantiated, two were closed for “complainant non-cooperation”—a pattern that raises red flags regarding community fear, intimidation, or a lack of faith in NYPD’s internal accountability systems.

129. Defendant CARABALLO’s documented history of excessive force and unlawful conduct, combined with his role in suppressing Plaintiff’s rights through a sham investigation, illustrates a broader pattern of supervisory abuse, retaliatory bias, and institutional silence. He failed in his legal, ethical, and departmental responsibilities to ensure a fair and impartial process for Plaintiff.

Summary of Defendant BRIAN T. HENRY’s Role and Misconduct

130. Defendant BRIAN T. HENRY is, upon information and belief, employed by the New York City Police Department, and at all relevant times served as a Police Benevolent Association (PBA) Delegate assigned to the Police Academy’s Payroll and Roll Call unit since approximately June 2021. In that capacity, Defendant HENRY acted as the designated union representative for probationary officers and recruits, including both Plaintiff EMILIO ANDINO and Defendant BAHRON ASLIEV. His formal responsibilities included protecting the procedural rights of union members, reporting misconduct, and ensuring fair treatment in disciplinary proceedings, particularly when allegations of retaliation, discrimination, or workplace hostility are involved.

131. On or about April 1–2, 2025, Defendant HENRY responded to the Police Academy following a racially and sexually charged incident between Plaintiff and Defendant

ASLIEV. Despite receiving from Plaintiff a detailed and credible report outlining repeated racial epithets, sexualized taunts directed at Plaintiff's minor child, and physical provocation by ASLIEV, Defendant HENRY failed to report the misconduct to either the Internal Affairs Bureau or the Office of Equity and Inclusion, as required under NYPD anti-discrimination and retaliation policies.

132. Rather than act as an advocate or intermediary, Defendant HENRY urged Plaintiff to resign, falsely warning that any resistance could result in permanent disqualification from future civil service employment. At no point did Defendant HENRY raise concerns about the unequal discipline, biased investigation, or the retaliatory context in which Plaintiff was being targeted. Instead, Defendant HENRY aligned himself with the command structure's interests, maintaining a collegial relationship with Defendant ASLIEV and remaining complicit in efforts to isolate and pressure the Plaintiff.

133. Plaintiff reasonably believes, and upon information and belief alleges, that Defendant HENRY's refusal to defend Plaintiff was motivated not only by institutional loyalty, but also by retaliatory animus toward Plaintiff's familial association with retired NYPD Lieutenant Quatisha Epps, whose EEOC complaint against former Defendant JEFFREY B. MADDREY had publicly exposed entrenched corruption, gender-based misconduct, and favoritism at the highest levels of NYPD leadership. Defendant HENRY's conduct reflects a disturbing reality in which union delegates operate less as protectors of member rights and more as enforcers of institutional retaliation when whistleblower exposure threatens NYPD leadership.

134. By refusing to report misconduct, discouraging Plaintiff from exercising due process, and failing to challenge a manifestly biased disciplinary process, Defendant HENRY aided and abetted the retaliation, discrimination, and suppression detailed throughout this

complaint. His conduct exemplifies the PBA's historical complicity in reinforcing NYPD command structures of retaliation, particularly against those who are affiliated—directly or indirectly—with internal dissent, whistleblowing, or protected disclosures.

Summary of Defendants DWAYNE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA – Role and Misconduct

135. Defendants DWYANE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA are all sergeants assigned to the NYPD's Internal Affairs Bureau (IAB) during the relevant period. As IAB officers, each defendant was specifically tasked with investigating internal misconduct, ensuring procedural integrity, and safeguarding against abuse of authority, particularly in matters involving discrimination, retaliation, and the suppression of whistleblower-adjacent personnel.

136. These four defendants were directly involved in the investigation that led to Plaintiff EMILIO ANDINO's suspension without pay on or about April 1, 2025, following a racially and sexually charged confrontation instigated by fellow recruit Defendant BHRON ASLIEV. Despite their legal and ethical duties to conduct a neutral, fact-driven inquiry, Defendants failed to interview key witnesses, ignored exculpatory evidence, and endorsed a retaliatory narrative positioning the instigator as a victim and Plaintiff as the aggressor. They took no action to refer the matter to the Office of Equity and Inclusion, nor did they question the glaring procedural violations in how the disciplinary action was imposed.

137. Their participation in this biased internal investigation, in full view of Plaintiff's whistleblower affiliation and race, enabled not only his suspension, but also the subsequent administration of the scientifically discredited RIAH hair drug test and the unexplained stalling of his graduation, despite his outstanding academic performance.

Defendant DWAYNE R. HARRIS

- Badge #2888, Black male, Sergeant at IAB since Nov. 2023; previously served at the 44th Precinct and Bronx Narcotics.
- Named in 15 civil rights lawsuits, resulting in over \$940,000 in settlements, including claims of false arrest, excessive force, strip searches, malicious prosecution, and unlawful stops—many involving Black and Latino civilians.
- Seven CCRB complaints, including a substantiated discourtesy charge; several other allegations involved physical force and abuse of authority, many against vulnerable or minority individuals.
- Demonstrates a documented pattern of aggressive policing, procedural violations, and civil liability, all of which underscore his unfitness to conduct an impartial investigation into Plaintiff's case.

Defendant EVELYN HALL

- Badge #1041, Black female, Sergeant at IAB since Oct. 2023; formerly assigned to Patrol Borough Bronx and Transit Bureau Anti-Terrorism.
- Named in the 2015 lawsuit *Pace v. City of New York* for retaliatory arrest, excessive force, and unlawful detention after a civilian requested badge numbers. Allegations included tight handcuffing and physical injury.
- Her involvement in Plaintiff's case—without referring obvious indicators of bias and retaliation to oversight bodies—mirrors the type of retaliatory conduct she has been accused of.

Defendant GIUSEPPE DEANGELIS

- Badge #1908, White male, Sergeant at IAB since Nov. 2023; formerly served at PSA 2, 40th and 48th Precincts.
- Five CCRB complaints totaling 10 allegations, mostly for abuse of authority and force. While officially unsubstantiated or within NYPD guidelines, patterns indicate repeated contact with force-related and racialized complaints.
- Named in *Cruz v. City of New York* (2013), settled for \$25,000, related to unconstitutional conduct by multiple officers.
- His failure to act impartially in Plaintiff's case is consistent with a record of loyalty to institutional prerogatives over civilian fairness.

Defendant DAVID R. VERNA

- Badge #2790, Black male, Sergeant at IAB since Sept. 2023; prior assignments include 13th and 47th Precincts, Queens North Patrol Borough.
- Six CCRB complaints, with five substantiated allegations, including wrongful property damage, vehicle search abuses, and refusal to process civilian complaints. Internal discipline resulted in formal training and command penalties.
- Two lawsuits, including *Koulibaly v. City of New York* (\$100,000 settlement) and *Jurich v. City of New York* (\$70,000 settlement), involved wrongful removal to hospital and excessive force.

- Verna's history shows a pattern of procedural misconduct, excessive authority, and rights violations, making his role in suppressing Plaintiff's rights particularly egregious.

138. Together, these four IAB officers failed to uphold their investigative mandates, endorsed a retaliatory outcome, and participated in a discriminatory disciplinary action targeting a whistleblower-adjacent Black recruit. Their collective histories of civil rights lawsuits, misconduct complaints, and prior discipline reinforce the conclusion that their actions in Plaintiff's case were not accidental, but reflective of a pattern of institutional protectionism and racially disparate enforcement.

BACKGROUND

139. Plaintiff EMILIO ANDINO is a Black male, a resident of the State of New York, and, at all relevant times, a recruit in the NYPD Police Academy, operated by the City of New York and located at 130-30 28th Avenue, Flushing, Queens, New York 11354.

140. On or about October 30, 2024, Plaintiff was officially sworn into the NYPD Police Academy and assigned to Hook Company 24-56, a designation reserved for recruits with personal or familial ties to members of the NYPD.

141. The plaintiff's familial connection was through his maternal aunt, former NYPD Lieutenant Quatisha Epps, a highly respected veteran officer whose support and advocacy played a central role in the Plaintiff's recruitment, onboarding, and assignment to Hook Company 24-56.

142. The fact that Plaintiff was Epps's nephew was widely known among instructors, internal Academy staff, and fellow recruits.

143. On the swearing-in day, Plaintiff was given the symbolic and visible honor of sitting in the front row—an unmistakable sign of deference tied to his familial connection and Epps' then-strong standing within the NYPD.

144. On December 21, 2024, everything changed. On that date, Epps filed a formal Charge of Discrimination with the United States Equal Employment Opportunity Commission (“EEOC”) in which she publicly accused then–NYPD Chief of Department JEFFREY B. MADDREY of quid pro quo sexual harassment and detailed a systemic pattern of public corruption involving high-ranking NYPD officials and senior City of New York leadership.

145. Epps’s December 21, 2024, filing constituted protected activity under federal, state, and city anti-discrimination laws.

146. Plaintiff’s mistreatment thereafter was directly connected to his familial association with an individual engaged in protected opposition activity.

147. The NYPD’s response to Epps’s disclosures triggered an internal retaliation and reputational targeting campaign, quickly enveloping Plaintiff as a surrogate for institutional reprisal.

148. That same day, Epps granted an on-the-record interview with the *New York Post*, in which she publicly identified Defendant MADDREY as a central figure in what she described as a culture of “sexual coercion, executive protectionism, and retaliatory abuse of power” inside the highest echelons of the NYPD.

149. Upon information and belief, Defendant JEFFREY B. MADDREY (Tax Registry No. 899501) served as NYPD Chief of Department at the time Plaintiff’s aunt, Epps, filed a formal EEOC Charge of Discrimination and granted a public interview on or about December 21, 2024, in which she disclosed a pattern of quid pro quo sexual harassment and systemic public corruption involving NYPD executive leadership.

150. As the subject of those disclosures, Defendant MADDREY had actual and constructive knowledge that retaliation was a likely consequence.

151. While still occupying the highest-ranking uniformed position in the Department, Defendant MADDREY allowed a retaliatory climate to develop and take root, particularly within the Police Academy, where Plaintiff was assigned.

152. Plaintiff alleges that this hostile and retaliatory culture, initiated and tolerated under Defendant MADDREY's leadership, targeted not only Epps but also those associated with her, including Plaintiff.

153. Even if MADDREY later retired, he remains individually liable under NYCHRL and NYSHRL for aiding and abetting retaliation, fostering discriminatory conditions, and failing to intervene despite knowing the foreseeable consequences of Epps's protected disclosures.

154. In the hours and days following the *Post* article and public filing, Plaintiff observed a sudden, unmistakable, and hostile shift in his treatment within the NYPD Police Academy by fellow recruits and supervisory personnel.

155. What began as whispered disbelief soon escalated into widespread character assassination, as multiple individuals began making crude, sexualized, and derogatory comments about Epps, including baseless assertions that she was "crazy," "lying for attention," and had sex tapes and nude photos circulating through the Academy.

156. Plaintiff was repeatedly confronted—sometimes directly, sometimes indirectly—with these insinuations, creating an unbearable psychological strain.

157. These comments were made in public Academy spaces—in locker rooms, hallways, gyms, and even classroom settings—within earshot of instructors, none of whom intervened, corrected, or documented the misconduct.

158. The harassment was not limited to second-hand attacks against Plaintiff's aunt.

159. Beginning in early Academy training and escalating after December 21, 2024, Plaintiff was subjected to a relentless stream of racial harassment, intimidation, and targeted verbal abuse by fellow recruit Defendant BAHRON ASLIEV (Tax Registry No. 980370), an Asian male.

160. Defendant ASLIEV developed a pattern of making racial “jokes,” stereotyped impressions, and outright slurs, targeting Black recruits, particularly Plaintiff. These included statements like, “act like a n****r, get treated like a n****r,” and mocking Black vernacular and family structures in front of others.

161. Despite these incidents occurring in group settings, no fellow recruit dared to report him, and no supervisor or Academy official intervened, due to the widely known reality that reporting misconduct in the Academy was a career-ending act—and Plaintiff’s experience would later prove that fear to be justified.

162. Following the publication of Epps’s sexual harassment disclosures, Defendant ASLIEV intensified his verbal attacks on Plaintiff, making the harassment personal, public, and increasingly graphic.

163. On April 1, 2025, during a classroom training exercise on courtroom testimony, in a classroom on the 6th Floor, Defendant ASLIEV acted as the mock witness. After the exercise, Plaintiff, following standard practice, offered verbal feedback about the scenario.

164. In response, Defendant ASLIEV snapped, saying words to the effect of: “Well, if you could’ve done better, why didn’t you volunteer? You’re just a pussy and a bitch.”

165. As the class was being dismissed and walking down the staircase, the verbal abuse escalated. On the third-floor landing, Defendant ASLIEV invaded Plaintiff’s personal

space, squared off chest-to-chest, and hissed at him: “What are you going to do if I don’t shut up?” in a clearly threatening tone.

166. Plaintiff, determined not to escalate the matter, attempted to walk away and re-focus on exiting the building.

167. As they reached the first floor, Defendant ASLIEV persisted, now speaking louder and more vulgar. He told Plaintiff: “You and your 12-year-old son can suck my dick.”

168. Plaintiff, shocked and disgusted by the racialized sexual aggression involving a reference to his minor child, instinctively raised his hand to create space, and his hand made incidental contact with Defendant ASLIEV’s face, who had again moved into Plaintiff’s personal space.

169. Upon information and belief, within seconds, an unknown person appeared and intervened—but rather than ask questions, de-escalate the scene, or determine what had occurred, he immediately sided with Defendant ASLIEV, called for additional personnel, and treated Plaintiff as the aggressor.

170. Upon information and belief, this individual pulled out his phone and placed a call to an unknown individual, without speaking with Plaintiff, reviewing video footage, or asking for statements from witnesses.

171. Defendant ELIZABETH M. LABOY (Tax Registry No. 949189) arrived shortly after. Rather than speak with both parties, she segregated the Plaintiff in a room and proceeded to spend an inordinate amount of time with Defendant ASLIEV, treating him as the victim, consoling him, and discussing matters outside of the Plaintiff’s presence.

172. At no point did Defendant LABOY inquire into Plaintiff's physical or emotional well-being, even though he was visibly shaken, humiliated, and monitored by a Recruit Disciplinary Unit sergeant as if he were a threat and not free to leave.

173. Meanwhile, Plaintiff's minor son was left unsupervised for some time, and no one cared.

174. A second instructor, Defendant JOSE L. CARABALLO (Tax Registry No. 941498), soon arrived. He also failed to interview Plaintiff, assess the situation objectively, and joined Defendant LABOY in assuming that Plaintiff was the problem, despite ample evidence to the contrary.

175. The investigative response by Defendants ELIZABETH M. LABOY and JOSE L. CARABALLO was not merely hasty, incomplete, or negligent—it was deliberately biased, designed to shield Defendant ASLIEV from scrutiny and to manufacture a false narrative portraying Plaintiff as the aggressor.

176. This biased investigation was informed in part by racial animus, specifically, assumptions rooted in Plaintiff's identity as a Black male.

177. However, the more significant motivating force behind the disparate treatment, the refusal to investigate impartially, while protecting Defendant ASLIEV, was the Defendants' collective bias and retaliatory hostility toward Plaintiff's aunt, Epps.

178. Following Epps's EEOC complaint and detailed disclosure of a systemic pattern of public corruption involving high-ranking NYPD officials and senior City of New York leadership, Epps became a symbol of institutional betrayal.

179. Plaintiff, as her nephew and a visible extension of her presence within the Department, was treated as a liability, scapegoated, and preemptively punished, not based on any

objective facts, but because of the Department's coordinated effort to discredit and disassociate itself from Epps and anyone connected to her.

180. Over more than ten hours following the initial confrontation, Plaintiff observed numerous NYPD personnel, including supervisory staff, PBA representatives, and other Academy officials, spending extended, private time with Defendant ASLIEV, reinforcing the perception that he was being groomed and positioned as the victim of the incident.

181. At no point during this period was Plaintiff approached for a statement, offered medical or psychological support, or treated as a witness to or victim of racially and sexually charged harassment.

182. Plaintiff reasonably believes, and upon information and belief alleges, that this preferential and protective treatment of Defendant ASLIEV was not only motivated by racial bias, but more significantly by the collective retaliatory animus harbored by NYPD personnel toward Plaintiff's aunt, Epps, who, just months earlier, had filed a high-profile EEOC charge and publicly exposed misconduct involving NYPD executive leadership.

183. At approximately 0030 hours on April 2, 2025, after being sequestered without explanation for an extended period, Plaintiff was finally permitted to meet with Police Benevolent Association (PBA) Delegate Defendant BRIAN T. HENRY (Tax Registry No. 940251) and PBA attorney John Tynan.

184. During that meeting, Plaintiff provided a complete, candid, and detailed account of the events that transpired, including Defendant ASLIEV's use of racially derogatory language and sexually explicit comments directed at Plaintiff and his 12-year-old son.

185. In direct contradiction to department policy and the responsibilities of union representation, Defendant HENRY and Tynan as his legal counsel, did not initiate a complaint to

the Internal Affairs Bureau, did not report the incident to the Office of Equity and Inclusion, and did not express concern about the racially or sexually hostile conduct involved.

186. Instead, Defendant HENRY and attorney Tynan strongly urged Plaintiff to resign, telling him in substance that doing so would be “cleaner” and that refusing to resign could bar him from all future civil service employment with the City of New York.

187. Defendant HENRY, while representing Plaintiff, also maintained a direct and inappropriate relationship with Defendant ASLIEV, despite the apparent conflict of interest between the two parties, and was observed spending significant time in private discussions with Defendant ASLIEV throughout the evening.

188. Plaintiff reasonably believes, and upon information and belief alleges, that Defendant HENRY’s posture and recommendations were influenced not by facts or fairness, but by the NYPD’s institutional hostility toward Epps and the retaliatory stigma attached to her name following her EEOC disclosures and public interview.

189. At approximately 0045 hours, Plaintiff was escorted to a formal interview with an NYPD investigative unit believed to be composed of Internal Affairs personnel, including Defendants DWAYNE R. HARRIS (Tax Registry No. 949660), EVELYN HALL (Tax Registry No. 947918), GIUSEPPE DEANGELIS (Tax Registry No. 946900), and DAVID R. VERNA (Tax Registry No. 953527), and supervised by Defendants MARTINE N. MATERASSO (Tax Registry No. 925686), ANGEL L. FIGUEROA (Tax Registry No. 937818), and ARSENIO CAMILO (Tax Registry No. 938152).

190. Defendant BRIAN T. HENRY and PBA attorney John Tynan were present for the interview.

191. Plaintiff again recounted, in detail, Defendant ASLIEV's racially charged statements, sexually explicit comments referencing Plaintiff's son, the aggressive confrontation, and the lack of intervention by supervising officials.

192. Despite the completeness of Plaintiff's statement, the presence of multiple potential eyewitnesses, and the availability of security camera footage documenting the entire incident—from the Sixth Floor classroom, down the stairwell, and into the First Floor lobby—none of the responsible parties, including Defendants MARTINE N. MATERASSO, ANGEL L. FIGUEROA, ARSENIO CAMILO, ELIZABETH M. LABOY, JOSE L. CARABALLO, BRIAN T. HENRY, DWAYNE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA made any effort to review or preserve the video evidence.

193. Instead, Plaintiff was summarily suspended without pay, under the authority of Defendant JESSICA S. TISCH, TANIA I. KINSELLA and MATERASSO effective immediately. This omission was not an oversight, but a deliberate act of investigatory negligence, underscoring the predetermined institutional intent to punish Plaintiff without regard to facts, due process, or fundamental fairness.

194. Defendant ASLIEV, by contrast, was not suspended, not placed under investigation, and not referred to the Office of Equity and Inclusion as required under NYPD policy for incidents involving potential discrimination or harassment.

195. Defendants Defendants MARTINE N. MATERASSO, ANGEL L. FIGUEROA, ARSENIO CAMILO, ELIZABETH M. LABOY, JOSE L. CARABALLO, BRIAN T. HENRY, DWAYNE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA collectively failed to initiate or document any report to Internal Affairs or OEI, despite their clear obligations to do so.

196. Plaintiff alleges upon information and belief that this collective decision was not based on evidence, but on a combination of racial favoritism toward Defendant ASLIEV as an Asian male and an overriding institutional hostility toward Plaintiff's familial association with Epps, whose whistleblower status had made her—and by extension, Plaintiff—a perceived threat to departmental control.

197. Following Plaintiff's suspension, Defendant ASLIEV openly bragged to other recruits about his conduct toward Plaintiff, including vulgar and sexually explicit statements he made during the April 1, 2025, incident.

198. Specifically, Defendant ASLIEV stated to Police Officer JOSHUA J. VERAS (Tax Registry No. 980962) and Police Officer LISETTE BATISTA (Tax Registry No. 980381) that he had told Plaintiff to “suck [his] dick” and made other crude remarks during their confrontation, which he described as “hooking” Plaintiff into a disciplinary outcome.

199. Despite receiving formal training in workplace harassment reporting protocols, neither Officer VERAS nor Officer BATISTA reported Defendant ASLIEV's statements to Recruit Operations, the Office of Equity and Inclusion (OEI), or the Internal Affairs Bureau (IAB).

200. Their failure to report was not due to ignorance, but to a well-founded fear of retaliation, based on firsthand knowledge of how Plaintiff was treated after attempting to protect himself and describe what occurred.

201. That same day, while dressing in the locker room before gym, Police Officer JONATHAN D. SUAREZ (Tax Registry No. 980921) overheard Defendant ASLIEV boasting to a group of recruits that his racially charged verbal attacks had resulted in Plaintiff's suspension.

202. Officer SUAREZ was so disturbed by Defendant ASLIEV's conduct that he confronted and asked him to stop.

203. Rather than de-escalate, Defendant ASLIEV doubled down, stating in substance: "If you act like a n***, get treated like a n*****. Do you see how I hooked him? This isn't the profession for him."***

204. Despite being offended and personally confronted with what he recognized as racial animus and misconduct, Officer SUAREZ also declined to report Defendant ASLIEV's statements to Recruit Operations, OEI, or IAB.

205. Officer SUAREZ's inaction, like that of Officers VERAS and BATISTA, stemmed from an honest and reasonable belief that reporting misconduct would expose him to retaliation, career jeopardy, or removal from the Academy, just as Plaintiff had experienced after being victimized and suspended. Their silence was not accidental. It was cultivated by a culture of retaliation, reinforced daily by what had happened to the Plaintiff.

206. These incidents demonstrate that Defendant ASLIEV's discriminatory behavior was not an isolated or misunderstood event, but part of a pattern of post-incident harassment and open mockery, all of which occurred in a culture of institutional silence, fear, and retaliation enabled by the NYPD's refusal to protect whistleblowers and enforce its anti-harassment protocols.

207. Plaintiff had a strong academic record, consistently scoring 80 or higher on classroom quizzes, achieving an 87 on his first trimester exam, and a 92 on his second trimester exam, demonstrating intellectual capability, work ethic, and commitment.

208. Despite his record and clean disciplinary history, Plaintiff was suspended without pay, ordered to report three times a week in business attire to the 50th Precinct, and advised that he would be permanently barred from City employment if he refused to resign.

POST-INCIDENT RETALIATION AND SELECTIVE DISCIPLINE

209. On or about May 1, 2025, Plaintiff was ordered to report to NYPD Headquarters for reinstatement.

210. On or about May 5, 2025, Plaintiff was ordered to undergo radioimmunoassay of hair (RIAH) drug testing, a scientifically discredited and racially biased methodology. This testing was neither random nor for cause, and there was no articulated basis under NYPD policy for subjecting Plaintiff to it. Rather, the timing and context make clear that the test was retaliatory in nature, imposed as a coercive tactic following Plaintiff's reinstatement.

211. Plaintiff presumably passed the RIAH drug test, as no further adverse action was taken on that basis. Despite this, Plaintiff remained in a state of procedural and career uncertainty, with no transparency regarding when—or if—he would be permitted to advance through the final stages of academy graduation and field training.

212. However, on May 9, 2025, Plaintiff was order to report to the Department Advocate's Office, where he was served with Disciplinary Charges under Department Advocate's Office Serial No. C-033577.

213. The charge, issued at the direction of Defendant FIGUEROA, falsely alleged that Plaintiff had violated Administrative Guide Procedure No. 304-06, Page 1, Paragraph 1 (Prohibited Conduct), by allegedly engaging in “conduct prejudicial to the good order, efficiency, and discipline of the Department”—namely, by participating in a verbal and physical altercation with another member of service on April 1, 2025.

214. This charge was dated April 7, 2025, and formally endorsed by Defendant MATERASSO on April 10, 2025. It was accompanied by a UF-49 report authored by Defendant CAMILO, which intentionally omitted key facts, misrepresented the sequence of events, and excluded the testimony of multiple witness recruits—including VERAS, BATISTA, and SUAREZ—who could have corroborated Plaintiff’s version of events.

215. Even under this distorted and retaliatory account, the narrative admits that Defendant ASLIEV stated to Plaintiff, “You and your son can suck my dick,” following a disagreement over training testimony. This statement, on its face, constitutes a violation of NYPD policy governing workplace professionalism, sexual misconduct, and harassment. Yet, despite this acknowledged behavior, no disciplinary charges were brought against ASLIEV, while Plaintiff was suspended and targeted for further retaliation.

216. Despite the retaliatory suspension, false disciplinary charges, coerced drug testing, and lack of institutional support, Plaintiff remained committed to completing his training.

217. On May 15, 2025, under these trying and demoralizing circumstances, Plaintiff sat for the third and final trimester examination at the NYPD Police Academy. His decision to proceed—rather than resign, as encouraged by union representatives and command staff—reflects a refusal to yield to unlawful retaliation and institutional pressure.

218. On or about May 16, 2025, Plaintiff was notified that he had passed the third and final trimester of recruit training with a score of 93, one of the highest academic marks in his cohort. This result made Plaintiff fully eligible to graduate, receive his Peace Officer and Police Officer (POST) Certification, and proceed to field training like similarly situated recruits.

219. Despite meeting all eligibility criteria, Plaintiff was not advanced to graduation or assigned to field training, and no explanation was provided. The only material difference

between Plaintiff and others who progressed was his race, his resistance to harassment, and his familial association with a known NYPD whistleblower.

220. Meanwhile, Defendant MATERASSO—the very official who initiated and signed off on Plaintiff’s false disciplinary charge and suspension—was publicly documented socializing with Jimmy “Jamie” Rodriguez, a publicly identified associate of the Lucchese crime family, on May 14, 2025, at Sobro Garden, located at 26 Bruckner Boulevard in the Bronx, New York. The event was captured in a time-stamped Instagram post under the handle @iamjimmyrodriguez, and corroborated by public reporting and testimony from former Lucchese member and federal government witness John Pennisi, who has previously identified Rodriguez as a criminal associate seeking induction into the Lucchese family.



221. Despite clear photographic and testimonial evidence of conduct violating NYPD Administrative Guide Procedure No. 304-06(8)(c)—which prohibits officers from “knowingly associating with persons reasonably believed to be engaged in, likely to engage in, or to have engaged in criminal activity”—no corrective action or internal investigation was undertaken against Defendant MATERASSO.

222. This incident is not an outlier. Upon information and belief, Defendant MATERASSO has repeatedly engaged in similar associations and has benefitted from a pattern of non-enforcement and institutional protection spanning at least the last three years, under Police Commissioners Keechant L. Sewell, Edward A. Caban, Thomas G. Donlon, and currently Defendant TISCH.



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

223. Indeed, Defendant MATERASSO was the official who executed the retaliatory suspension of Plaintiff on April 1, 2025, a decision that was fully supported and ratified by Defendants TISCH and KINSELLA acting under their final policymaking and disciplinary authority pursuant to New York City Administrative Code § 14-115. While MATERASSO was permitted to maintain public associations with known organized crime figures without consequence, Plaintiff—a Black recruit with no disciplinary record who lawfully resisted racial and sexual harassment—was suspended, falsely charged, subjected to coerced drug testing, and procedurally obstructed from graduation despite meeting all training requirements.

224. This stark contrast in treatment underscores a command-driven culture of favoritism, selective enforcement, and institutional retaliation, particularly against recruits associated with whistleblowers or who challenge the Department’s internal hierarchy. It is further evidence of the NYPD’s entrenched pattern of protecting insiders while punishing dissent, in violation of its own internal policies and applicable civil rights laws.

225. The cumulative effect of Defendants’ THE CITY OF NEW YORK, JESSICA S. TISCH, TANIA I. KINSELLA, JEFFREY B. MADDREY, MARTINE N. MATERASSO, ANGEL L. FIGUEROA, ARSENIO CAMILO, ELIZABETH M. LABOY, JOSE L. CARABALLO, BRIAN T. HENRY, BAHRON ASLIEV, DWAYNE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA’s actions was to punish Plaintiff for his race, gender, and familial association with a whistleblower, and to send a clear message that the NYPD will retaliate against anyone who challenges the chain of command, even by blood.

226. This retaliation was not coincidental—it was a form of coercive compliance: a departmental tactic of silencing dissent and isolating those aligned with whistleblowers through procedural abuse and pretextual investigations. Plaintiff’s ordeal demonstrates how institutional

actors exploit investigatory and disciplinary mechanisms not to uncover the truth, but to enforce loyalty and punish proximity to those who expose systemic misconduct.

227. What happened to the Plaintiff was not merely a personnel action but an institutional message. Through its deliberate tolerance of discriminatory conduct and its weaponization of internal investigatory processes, the NYPD demonstrated that truth-telling will be met with systemic destruction, not just for whistleblowers, but for anyone associated with them. This was not the result of isolated individual misconduct. Still, rather the manifestation of a deep-seated organizational pathology—a systemic failure of governance where accountability is suppressed, and retaliation is the currency of control.

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))

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

229. At all relevant times, Plaintiff was a member of a protected class under the New York State Human Rights Law by his race as a Black male.

230. Defendant THE CITY OF NEW YORK, through its agents, officers, and policymakers—including but not limited to JESSICA S. TISCH, TANIA I. KINSELLA, JEFFREY B. MADDREY, MARTINE N. MATERASSO, ANGEL L. FIGUEROA, ARSENIO CAMILO, ELIZABETH M. LABOY, JOSE L. CARABALLO, BRIAN T. HENRY, BAHRON ASLIEV, DWAYNE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA—discriminated against Plaintiff in the terms, conditions, and privileges of employment on the basis of race, in violation of N.Y. Exec. Law § 296(1)(a).

231. The discrimination included but was not limited to: racially hostile verbal harassment, disparate disciplinary treatment, selective enforcement of policies, biased and incomplete internal investigations, retaliatory suspension and drug testing, and obstruction of Plaintiff's graduation and field deployment—all of which were inflicted on Plaintiff while similarly situated non-Black recruits or officials were treated more favorably.

232. Each of the individual defendants named above is also liable in their individual capacity pursuant to N.Y. Exec. Law § 296(6) for aiding, abetting, inciting, compelling, or coercing the discriminatory conduct, and for participating in and failing to prevent the racially motivated actions taken against Plaintiff.

233. 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.

234. As a direct and proximate result of the unlawful conduct of THE CITY OF NEW YORK and its agents, Plaintiff has suffered emotional distress, reputational injury, economic loss, and other damages.

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

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

236. At all relevant times, Plaintiff was a member of a protected class under the New York State Human Rights Law on the basis of his gender as a male.

237. Plaintiff was subjected to gender-based insults, emasculating slurs, and sexually explicit remarks—including crude comments about Plaintiff's 12-year-old son—by Defendant BAHRON ASLIEV, in the presence of fellow recruits and NYPD personnel.

238. Defendant THE CITY OF NEW YORK, through its agents, officers, and policymakers—including but not limited to JESSICA S. TISCH, TANIA I. KINSELLA, JEFFREY B. MADDREY, MARTINE N. MATERASSO, ANGEL L. FIGUEROA, ARSENIO CAMILO, ELIZABETH M. LABOY, JOSE L. CARABALLO, BRIAN T. HENRY, BAHRON ASLIEV, DWAYNE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA—discriminated against Plaintiff in the terms, conditions, and privileges of employment on the basis of gender, in violation of N.Y. Exec. Law § 296(1)(a).

239. The gender-based discrimination included but was not limited to: sexually harassing verbal misconduct, failure to discipline the harasser, gender-based humiliation, disparate disciplinary responses, and obstruction of Plaintiff’s professional progression—all while similarly situated individuals were treated more favorably or shielded from accountability.

240. Each of the individual defendants named above is also liable in their individual capacity pursuant to N.Y. Exec. Law § 296(6) for aiding, abetting, inciting, compelling, or coercing the discriminatory conduct, and for participating in and failing to prevent the gender-based misconduct directed at Plaintiff.

241. Defendant THE CITY OF NEW YORK is further liable for the acts of its agents and employees under the doctrines of respondeat superior, agency, and direct employer liability, including but not limited to its failure to monitor, discipline, or train employees with regard to gender-based discrimination and hostile conduct.

242. As a direct and proximate result of the unlawful conduct of THE CITY OF NEW YORK and its agents, Plaintiff suffered emotional distress, reputational damage, humiliation, and economic loss, all of which are compensable under law.

THIRD CAUSE OF ACTION
Hostile Work Environment in Violation of the New York State Human Rights Law
(N.Y. Exec. Law § 296(1)(h))

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

244. At all relevant times, Plaintiff was subjected to a hostile work environment based on his race, gender, and protected association with retired Lieutenant Quatisha Epps, a known NYPD whistleblower who publicly filed an EEOC charge of discrimination on December 21, 2024, against senior NYPD leadership.

245. Defendant THE CITY OF NEW YORK, by and through its officers, agents, and policymakers—including JESSICA S. TISCH, TANIA I. KINSELLA, JEFFREY B. MADDREY, MARTINE N. MATERASSO, ANGEL L. FIGUEROA, ARSENIO CAMILO, ELIZABETH M. LABOY, JOSE L. CARABALLO, BRIAN T. HENRY, BAHRON ASLIEV, DWAYNE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA—created, condoned, and failed to remedy a work environment rife with racial slurs, gender-based and sexually explicit verbal abuse, public humiliation, coercive threats, and retaliatory disciplinary practices, all of which were directed at Plaintiff as a result of his race, gender, and association with Epps.

246. While serving as Chief of Department, Defendant JEFFREY B. MADDREY had actual knowledge of Plaintiff's familial and protected association with Epps and the foreseeable risk of retaliatory backlash following her public disclosures. Nevertheless, he failed to act to protect Plaintiff or prevent the hostile climate that developed in the aftermath of the EEOC charge.

247. Defendant MADDREY's deliberate inaction functioned as a tacit endorsement of the hostile treatment directed at Plaintiff and emboldened command staff and internal investigators to retaliate, degrade, and isolate Plaintiff with impunity, thereby violating the NYSHRL's anti-harassment provisions.

248. The hostile work environment to which Plaintiff was subjected was severe and pervasive, and materially altered the terms, conditions, and privileges of his employment. The cumulative impact of this treatment—combined with the absence of any institutional protection—effectively resulted in a constructive discharge, depriving Plaintiff of his professional advancement and peace officer certification despite meeting all graduation requirements.

249. Each of the individual defendants named above is also liable in their individual capacity pursuant to N.Y. Exec. Law § 296(6) for aiding, abetting, inciting, compelling, or coercing the creation and maintenance of a hostile work environment, and for participating in or failing to prevent the unlawful conduct to which Plaintiff was subjected.

250. As a direct and proximate result of this unlawful conduct, Plaintiff has suffered emotional distress, reputational harm, economic losses, and loss of professional advancement, all of which are compensable under applicable law.

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

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

252. At all relevant times, Plaintiff engaged in protected activity under the New York State Human Rights Law by virtue of his familial and close associative relationship with retired

NYPD Lieutenant Quatisha Epps, who, on December 21, 2024, filed a formal EEOC complaint publicly accusing Defendant JEFFREY B. MADDREY, then-Chief of Department, of quid pro quo sexual harassment, gender discrimination, and systemic corruption within NYPD executive leadership.

253. In retaliation for Plaintiff's association with Epps and the threat it posed to NYPD command structure, Defendants THE CITY OF NEW YORK, JESSICA S. TISCH, TANIA I. KINSELLA, JEFFREY B. MADDREY, MARTINE N. MATERASSO, ANGEL L. FIGUEROA, ARSENIO CAMILO, ELIZABETH M. LABOY, JOSE L. CARABALLO, BRIAN T. HENRY, BAHRON ASLIEV, DWAYNE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA engaged in a pattern of escalating retaliatory conduct, including but not limited to:

- Biased internal investigation,
- Disparate and punitive discipline,
- Retaliatory suspension without pay,
- Compelled submission to discredited RIAH drug testing,
- Public humiliation, and
- Obstruction of Plaintiff's training advancement and graduation.

254. Despite being directly named in Epps's EEOC complaint and holding the highest uniformed position in the NYPD at the time, Defendant JEFFREY B. MADDREY took no remedial action to safeguard Plaintiff from foreseeable retaliation. His refusal to intervene in the face of obvious, documented risk functioned as an affirmative act of retaliation by omission, encouraging and enabling others within the Department to target Plaintiff without fear of accountability.

255. The retaliatory conduct occurred within a command-driven disciplinary structure overseen by Defendants TISCH and KINSELLA pursuant to New York City Administrative

Code § 14-115, both of whom possessed final authority over discipline and policy enforcement and knowingly permitted this retaliation to proceed unchecked.

256. As a direct and proximate result of Defendants' retaliatory actions, Plaintiff suffered severe emotional distress, reputational damage, economic harm, and interference with his ability to obtain peace officer certification and pursue a law enforcement career—injuries for which he is entitled to relief under the New York State Human Rights Law.

257. Each individual defendant is further liable in their individual capacity under N.Y. Exec. Law § 296(6) for aiding, abetting, inciting, compelling, or coercing the retaliatory conduct, and for failing to take action to prevent or remedy the retaliation inflicted on Plaintiff.

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

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

259. At all relevant times, Plaintiff was a member of a protected class under the New York City Human Rights Law based on his race as a Black male.

260. Defendants THE CITY OF NEW YORK, by and through its agents, policymakers, and supervisory personnel—including JESSICA S. TISCH, TANIA I. KINSELLA, JEFFREY B. MADDREY, MARTINE N. MATERASSO, ANGEL L. FIGUEROA, ARSENIO CAMILO, ELIZABETH M. LABOY, JOSE L. CARABALLO, BRIAN T. HENRY, BAHRON ASLIEV, DWAYNE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA—treated Plaintiff less well than his similarly situated non-Black counterparts because of his race, in violation of N.Y.C. Admin. Code § 8-107(1)(a).

261. This unequal treatment included but was not limited to:

- The use of racial slurs and racially charged verbal abuse;
- Disparate discipline and retaliatory suspension following an incident where Plaintiff was the target of harassment;
- Biased internal investigations that deliberately excluded exculpatory witness accounts;
- Coercive threats suggesting permanent disqualification from civil service employment;
- Obstruction of Plaintiff's graduation and career advancement, despite meeting all objective qualifications.

262. Defendant THE CITY OF NEW YORK is liable both directly—by failing to take prompt and effective remedial action despite actual or constructive knowledge—and vicariously, through the actions of its officers, agents, and policymakers, for allowing a racially discriminatory workplace culture to persist in violation of the broad remedial purpose of the NYCHRL.

263. Each of the individual defendants named above is also liable in their individual capacity under N.Y.C. Admin. Code § 8-107(6) for aiding, abetting, inciting, compelling, or coercing the discriminatory conduct, and for knowingly failing to act to stop the race-based mistreatment of Plaintiff.

264. As a direct and proximate result of Defendants' unlawful conduct, Plaintiff has suffered emotional distress, economic loss, reputational harm, and substantial interference with his career trajectory and civil service standing, all of which are compensable under the New York City Human Rights Law.

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

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

266. At all relevant times, Plaintiff was a member of a protected class under the New York City Human Rights Law on the basis of his gender as a male.

267. Defendants THE CITY OF NEW YORK, through its agents, officers, and policymakers—including JESSICA S. TISCH, TANIA I. KINSELLA, JEFFREY B. MADDREY, MARTINE N. MATERASSO, ANGEL L. FIGUEROA, ARSENIO CAMILO, ELIZABETH M. LABOY, JOSE L. CARABALLO, BRIAN T. HENRY, BAHRON ASLIEV, DWAYNE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA—treated Plaintiff less well than similarly situated employees of other genders, in violation of N.Y.C. Admin. Code § 8-107(1)(a).

268. The gender-based discriminatory treatment included, but was not limited to:

- Sexually explicit and emasculating verbal harassment, including derogatory references to Plaintiff's masculinity and his minor child;
- Failure to discipline the harasser, despite clear documentation of misconduct;
- Permitting and perpetuating a hostile and humiliating environment that targeted Plaintiff for gender-based degradation;
- Unequal application of discipline and training opportunities, including the imposition of punitive and retaliatory measures not applied to similarly situated recruits;
- Institutional inaction and silence by senior leadership in the face of Plaintiff's repeated exposure to gendered abuse.

269. Defendant THE CITY OF NEW YORK is liable both directly, for its failure to prevent or correct the harassment and disparate treatment, and vicariously, through the acts and omissions of its supervisors and policymakers who knowingly allowed a gender-discriminatory environment to persist in violation of the broad protections afforded by the NYCHRL.

270. Each of the individual defendants named above is also liable in their individual capacity under N.Y.C. Admin. Code § 8-107(6) for aiding, abetting, inciting, compelling, or coercing the gender-based discriminatory conduct, and for knowingly failing to intervene or prevent the mistreatment inflicted on Plaintiff.

271. As a direct and proximate result of this unlawful gender-based discrimination, Plaintiff suffered emotional distress, reputational injury, economic loss, and interference with his career progression and peace officer certification, all of which are compensable under **the** New York City Human Rights Law.

SEVENTH 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))

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

273. At all relevant times, Plaintiff was subjected to a hostile work environment on the basis of his race, gender, and protected association with retired NYPD Lieutenant Quatisha Epps, a whistleblower who filed a public EEOC complaint against NYPD executive leadership on December 21, 2024.

274. Defendants THE CITY OF NEW YORK, through its agents, supervisors, and command personnel—including JESSICA S. TISCH, TANIA I. KINSELLA, JEFFREY B. MADDREY, MARTINE N. MATERASSO, ANGEL L. FIGUEROA, ARSENIO CAMILO, ELIZABETH M. LABOY, JOSE L. CARABALLO, BRIAN T. HENRY, BAHRON ASLIEV, DWAYNE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA—engaged in, condoned, or failed to correct a workplace environment where Plaintiff was treated less well than similarly situated recruits and officers because of his protected characteristics and affiliations.

275. This unlawful environment included but was not limited to:

- Repeated racial and gender-based verbal harassment, including slurs and degrading comments;
- Sexually explicit remarks involving Plaintiff's minor child, made in the presence of NYPD personnel;

- Public humiliation, coercive threats, and ridicule;
- Disparate enforcement of disciplinary policies against Plaintiff;
- Failure to address or prevent retaliation connected to Plaintiff's familial ties to whistleblower Lieutenant Epps.

276. Despite holding the highest uniformed rank at the time, Defendant JEFFREY B. MADDREY took no action to protect Plaintiff from the foreseeable institutional backlash following Epps's EEOC filing. His inaction as Chief of Department and policymaker emboldened subordinate officers and supervisors to engage in unchecked retaliatory conduct, thereby contributing directly to the hostile environment.

277. The conduct Plaintiff experienced was not isolated or trivial, but frequent, severe, and damaging, and it materially interfered with the terms and conditions of his employment, ultimately resulting in a constructive discharge from the Police Academy.

278. Defendant THE CITY OF NEW YORK is liable for the hostile work environment both directly—for failing to prevent or remedy discriminatory conditions despite actual and constructive knowledge—and vicariously, through the discriminatory and retaliatory conduct of its senior officials, agents, and officers.

279. Each of the individual defendants named above is also liable in their individual capacity pursuant to N.Y.C. Admin. Code § 8-107(6) for aiding, abetting, inciting, compelling, or coercing the creation and perpetuation of a hostile work environment, and for failing to take steps to stop or report the unlawful conditions affecting Plaintiff.

280. As a direct and proximate result of Defendants' conduct, Plaintiff has suffered emotional distress, reputational damage, economic loss, and permanent impairment of his law enforcement career, all of which are compensable under the New York City Human Rights Law.

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

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

282. At all relevant times, Plaintiff was engaged in protected activity under the New York City Human Rights Law through his close familial and associative relationship with retired NYPD Lieutenant Quatisha Epps, who, on December 21, 2024, filed a formal EEOC charge of discrimination publicly naming Defendant JEFFREY B. MADDREY, then-Chief of Department, in allegations of quid pro quo sexual harassment, gender discrimination, and corruption at the highest levels of NYPD command.

283. In retaliation for Plaintiff's association with Epps and the threat he posed to institutional control, Defendants THE CITY OF NEW YORK, JESSICA S. TISCH, TANIA I. KINSELLA, JEFFREY B. MADDREY, MARTINE N. MATERASSO, ANGEL L. FIGUEROA, ARSENIO CAMILO, ELIZABETH M. LABOY, JOSE L. CARABALLO, BRIAN T. HENRY, BAHRON ASLIEV, DWAYNE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA engaged in, enabled, or failed to intervene in a pattern of retaliatory conduct in violation of N.Y.C. Admin. Code § 8-107(7).

284. This retaliatory conduct included, but was not limited to:

- Targeted internal scrutiny and baseless investigation;
- Biased and incomplete disciplinary procedures excluding exculpatory witnesses;
- Public degradation and coercive threats of permanent disqualification from civil service;
- Retaliatory suspension without pay;
- Compelled submission to unvalidated drug testing; and
- Procedural obstruction of Plaintiff's graduation and field training, despite his eligibility.

285. Defendant JEFFREY B. MADDREY, the subject of the protected disclosures and highest-ranking uniformed official at the time, had actual knowledge of the risk of retaliatory

conduct and was in a position to implement safeguards. Instead, he willfully failed to act, sending a clear institutional message that retaliation would be tolerated and even encouraged.

286. Rather than curbing retaliation, Defendant MADDREY's silence and inaction functioned as tacit approval of the discriminatory campaign to punish Plaintiff for his protected association, emboldening subordinate officials to act with impunity.

287. The cumulative effect of this retaliation materially interfered with Plaintiff's employment conditions, created a coercive and degrading environment, and ultimately forced Plaintiff's constructive discharge from the Police Academy.

288. Defendant THE CITY OF NEW YORK is liable for the retaliatory conduct both directly—by failing to investigate or correct the retaliation despite actual or constructive knowledge—and vicariously, through the actions of its supervisory agents and final policymakers.

289. Each of the individual defendants named above is also liable in their individual capacity under N.Y.C. Admin. Code § 8-107(6) for aiding, abetting, inciting, compelling, or coercing the retaliatory conduct, and for knowingly participating in, condoning, or failing to remedy the unlawful retaliation directed at Plaintiff.

290. As a direct and proximate result of Defendants' unlawful retaliation, Plaintiff has suffered severe emotional distress, reputational injury, economic damages, and lasting harm to his civil service and law enforcement career prospects, all of which are compensable under the New York City Human Rights Law.

JURY TRIAL DEMAND

291. Plaintiff EMILIO ANDINO demands a trial by jury on all issues so triable under New York law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff EMILIO ANDINO respectfully requests that this Court enter judgment in his favor and against Defendants THE CITY OF NEW YORK, JESSICA S. TISCH, TANIA I. KINSELLA, JEFFREY B. MADDREY, MARTINE N. MATERASSO, ANGEL L. FIGUEROA, ARSENIO CAMILO, ELIZABETH M. LABOY, JOSE L. CARABALLO, BRIAN T. HENRY, BAHRON ASLIEV, DWAYNE R. HARRIS, EVELYN HALL, GIUSEPPE DEANGELIS, and DAVID R. VERNA, and award the following relief:

1. 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;
2. 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;
3. 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;
4. 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;
5. 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;
6. Where appropriate, equitable relief, including but not limited to expungement of any adverse disciplinary records, and/or reinstatement or restoration of employment status, with backpay or front pay as may be warranted;
7. Prejudgment and post-judgment interest at the maximum rate permitted by law; and
8. Such other and further relief as this Court deems just, equitable, and proper under the circumstances.

Dated: May 19, 2025
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders _____
Eric Sanders

Eric Sanders, Esq.
THE SANDERS FIRM, P.C.
30 Wall Street, 8th Floor
New York, NY 10005
(212) 652-2782 (Business Telephone)
(212) 652-2783 (Facsimile)

Website: <http://www.thesandersfirm.com>

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 Amended 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: May 19, 2025
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders _____
Eric Sanders

Eric Sanders, Esq.
THE SANDERS FIRM, P.C.
30 Wall Street, 8th Floor
New York, NY 10005
(212) 652-2782 (Business Telephone)
(212) 652-2783 (Facsimile)

Website: <http://www.thesandersfirmpc.com>

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

INDEX NO.: 155113/2025

EMILIO ANDINO

Plaintiff,

-against-

THE CITY OF NEW YORK; JESSICA S. TISCH, as Police Commissioner; TANIA I. KINSELLA, as First Deputy Commissioner; JEFFREY B. MADDREY, as Chief of Department; MARTINE N. MATERASSO, as Chief of Training; ANGEL L. FIGUEROA, as Commanding Officer, Police Academy; ARSENIO CAMILO, as Executive Officer, Police Academy; ELIZABETH M. LABOY, as Lieutenant, Police Academy; JOSE L. CARABALLO, as Lieutenant, Police Academy; BRIAN T. HENRY, as PBA Delegate, Police Academy; BAHRON ASLIEV, as Probationary Police Officer, Police Academy; DWAYNE R. HARRIS, as Sergeant, Internal Affairs Bureau Group No. 21; EVELYN HALL, as Sergeant, Internal Affairs Bureau Group No. 21; GIUSEPPE DEANGELIS, as Sergeant, Internal Affairs Bureau Group No. 22 and DAVID R. VERNA, as Sergeant, Internal Affairs Bureau Group No. 22; each sued in their official and Individual capacities as employees, representatives, or agents of the CITY OF NEW YORK.

Defendants

SUMMONS WITH AMENDED VERIFIED COMPLAINT

Duly submitted by:

Eric Sanders, Esq.
THE SANDERS FIRM, P.C.
 30 Wall Street, 8th Floor
 New York, NY 10005
 (212) 652-2782 (Business Telephone)
 (212) 652-2783 (Facsimile)

Website: <http://www.thesandersfirmpc.com>
