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IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

RUSSELL ELLIS, JR., GABRIEL GOLDEN,
HAMANI NOWLEN, DAMIEN TAYLOR, and
KARINN YOUNG,

Plaintiffs,

v.

UNIVERSITY OF WASHINGTON POLICE
DEPARTMENT,

Defendant.

Case No.

COMPLAINT

JURY TRIAL DEMANDED

Plaintiffs Russell Ellis, Jr., Gabriel Golden, Hamani Nowlen, Damien Taylor, and Karinn Young bring this complaint against Defendant University of Washington Police Department (UWPD) and allege as follows:

I. NATURE OF THE ACTION

1. This civil rights case concerns UWPD’s treatment of its Black police officers. The five plaintiffs—constituting every unranked Black officer currently in the Department—have experienced widespread acts of racial harassment and discrimination within the Department, including use of the n-word and other racial slurs, racist stereotypes, physical intimidation, and preferential treatment of White officers. UWPD has a culture of racial insults and mistreatment that UWPD management is aware of and sometimes directly involved in. In addition to the

1 pervasive racial harassment, UWPD managers have also threatened Black officers to keep them
2 from seeking promotions and retaliated against those who have reported misconduct.

3 2. Plaintiffs bring claims for damages under the Washington Law Against
4 Discrimination, RCW 49.60.010, and the common law tort of intentional infliction of emotional
5 distress.

6 II. PARTIES

7 3. Plaintiff Russell Ellis, Jr. is a Black man and a police officer employed by UWPD
8 who resides in King County, Washington.

9 4. Plaintiff Gabriel Golden is a Black man and a police officer employed by UWPD
10 who resides in King County, Washington.

11 5. Plaintiff Hamani Nowlen is a Black man and a police officer employed by UWPD
12 who resides in Snohomish County, Washington.

13 6. Plaintiff Damien Taylor is a Black man and a police officer employed by UWPD
14 who resides in King County, Washington.

15 7. Plaintiff Karinn Young is a Black woman and a police officer employed by UWPD
16 who resides in Snohomish County, Washington.

17 8. Defendant University of Washington Police Department is an employer under
18 RCW 49.60.040(11) and is located in King County, Washington.

19 III. JURISDICTION AND VENUE

20 9. This Court has jurisdiction under RCW 2.08.010 because Plaintiffs each seek
21 damages in excess of three hundred dollars.

22 10. Venue is proper in King County Superior Court under RCW 4.12.025 because the
23 acts described in this complaint occurred here, Plaintiffs' causes of action arose in King County,
24 and Defendant's operations and jurisdiction occur within King County.

IV. FACTUAL ALLEGATIONS

A. The University of Washington Police Department

11. UWPD is a law enforcement agency with jurisdiction over the Seattle campus of the University of Washington (UW) with the same responsibilities and authority as other police departments in the state of Washington.

12. Employing approximately two dozen commissioned police officers and a similar number of administrative staff, UWPD is an employer within the larger University of Washington system, which itself is an agency of the State of Washington.

13. Plaintiffs' claims, detailed below, are only the latest in UWPD's long history of racism within its ranks.

14. In 1998, a Black UWPD officer filed a lawsuit alleging a racially hostile workplace in the Department. A White UWPD officer had distributed flyers with negative racial stereotypes and jokes at roll call. The Black officer complained internally about the flyers and the general culture of hostility toward Black officers, but the only result was that a sergeant was given paid leave to take diversity training, after which racial slurs and misconduct continued.

15. In 2008, three Black UWPD employees joined several others in a lawsuit alleging that UWPD was still operating a racially hostile workplace (among other problems), including widespread use of racial slurs, racial harassment, and inadequate or non-existent Department response to these problems.

16. In 2009, the UW appointed Dr. John N. Vinson to lead UWPD, the Department's first Black Chief. Vinson holds multiple advanced degrees and is a graduate of the FBI Academy. He made some efforts to change UWPD's culture, including a concerted effort to hire more Black officers.

17. In September 2018, seven sergeants and one lieutenant (including some of the people whose racist conduct is described below) wrote to UW leadership calling for Vinson to be investigated and removed. Among their complaints was that Vinson had hired too many

1 officers they believed to be unqualified. Their campaign eventually succeeded, and Vinson was
2 forced out. Upon his departure from UWPD in 2019, Vinson made the UW and UWPD
3 management aware of the significant problems with racism that he saw in the Department.

4 18. In May 2020, Vinson was asked to testify in an arbitration proceeding in which
5 UWPD was a party about a Black officer who Vinson hired and who had been terminated after
6 Vinson resigned. Vinson testified that the investigation into the hiring of that officer was racially
7 motivated, as there were White officers in the Department with the same general kinds of
8 problems who were not similarly investigated.

9 19. During this period and as recently as 2021, the Teamsters union representing
10 unranked officers in UWPD has also notified UWPD managers about concerns of mistreatment
11 of officers on the basis of race.

12 20. Despite this history of a variety of employees and others alleging a culture of
13 racism and racial harassment at UWPD, the Department has never implemented measures
14 reasonably designed to learn about it or investigate it, much less address it.

15 21. As the International Association of Chiefs of Police has described it, in police
16 agencies there is a widespread culture in which “officers will provide one another with
17 particular ‘courtesies,’ among which is to not report on failures, mishaps, misdeeds, or
18 transgressions of one another. When this code is broken, the offending officer is often the
19 target of retribution in one form or another.”¹

20 22. This culture is strongly embedded at UWPD. Officers who complain about
21 misconduct are deemed “snitches” and are shunned and retaliated against.

22 23. Many police departments have implemented policies, procedures, and training
23 specifically designed to overcome this culture within their ranks. These policies and procedures
24 include taking steps to protect the confidentiality of officers who raise complaints; investigating
25

26 ¹ International Association of Chiefs of Police Law Enforcement Policy Center, *Concept & Issues Paper: Retaliatory*
27 *Conduct* (January 2012), available at [https://www.theiacp.org/sites/default/files/all/p-
r/RetaliatoryConductPaper.pdf](https://www.theiacp.org/sites/default/files/all/p-r/RetaliatoryConductPaper.pdf).

1 and strictly punishing officers who engage in any kind of retaliatory conduct; and other
2 proactive measures designed to identify and protect people with complaints about misconduct.

3 24. UWPD does not have a harassment or misconduct reporting policy appropriately
4 tailored to use in a police agency. Because of a lack of practical protections of confidentiality,
5 officers in UWPD who raise any kind of complaint are usually known to most or all other
6 members of the Department, and retaliatory conduct is sometimes not even investigated, much
7 less punished.

8 25. In the wake of the sergeants' campaign to remove Chief Vinson, UW conducted a
9 wide-ranging inquiry into UWPD. However, the investigation did not solicit or report on the
10 views UWPD employees have regarding racism or racial harassment within the Department.
11 Indeed, the 30-page report produced by the investigators, exhaustively summarizing the
12 investigation and removal of the Department's first Black police chief at the insistence of his
13 subordinates, makes no mention of racism.

14 26. UWPD has conducted some bias and cultural diversity trainings, but the trainings
15 are not taken seriously by UWPD management. For example, during a meeting to discuss one
16 such training, UWPD supervisors were advised that two White officers had said of the training,
17 "I am not going to give up White privilege because of Black Lives Matter bullshit." The
18 supervisors did nothing in response. Afterward, Officer Ellis reported to UWPD management
19 how troubling this incident was. He received no response. After the murder of George Floyd, a
20 Black man killed by a White police officer in the summer of 2020, Officer Golden sent UWPD
21 managers a link to implicit bias training that he wanted to implement at UWPD. None
22 responded. He asked again for a response and got no response. So, Officer Golden, in his
23 capacity as training coordinator, deployed the training without their approval. UWPD
24 management subsequently told him to cease the training.

25 27. Commanding officers within UWPD—including sergeants, lieutenants, deputy
26 chiefs, and the chief—each exercise some degree of control of the hours, wages, and working
27 conditions of line-level officers, including the five Plaintiffs. These commanding officers are

1 collectively referred to as “supervisors,” “managers,” or “management” in this complaint. Even
2 the lowest of these ranked officials, the seven sergeants, have substantial management power
3 that includes but is not limited to control of the nature and location of work an officer performs
4 on any given day, from traffic duty to patrols; practical control over promotion and lateral
5 hiring by providing or withholding critical letters of recommendation, which are given
6 substantial deference; approval and control over the record of hours worked; approval of leave
7 time; control over the amount of overtime to make available; control over certifications and
8 qualifications needed to continue employment; and low-level discipline.

9 28. The power exercised by the commanding officers is especially vast during the
10 period in which an officer is in probationary training, known as the Field Training Orientation
11 (FTO) period. The employee assigned to lead the training is called a field training officer or FTO.

12 **B. Plaintiffs’ Experiences**

13 29. As detailed below, each of the five Plaintiffs has personally experienced
14 pervasive and severe harassment and mistreatment. Plaintiffs also share their experiences with
15 each other. As such, they are collectively aware of the conduct of each of the implicated
16 officers and supervisors and work in an environment knowing these other employees—some of
17 them with managerial power over them and influence over their safety—have said and done
18 these things.

19 **Plaintiff Russell Ellis, Jr.**

20 30. Officer Ellis is a Black police officer for UWPD. He has been in law enforcement
21 for 22 years and has served in several different police departments, including the Arizona
22 Department of Transportation where he was a patrol sergeant and eventually a detective
23 sergeant. He was an officer for UWPD from 2007 to 2012 and returned in 2017.

24 31. Although Officer Ellis was aware of issues within UWPD culture when he left in
25 2012, he was hopeful that when Chief Vinson hired him to return that the Department had
26 changed. But when Officer Ellis returned to UWPD in 2017, he began to hear blatantly racist
27 comments and behavior from supervisors and officers. White officers were vocalizing their

1 resentment that Chief Vinson had hired so many Black officers. The racist comments and
2 behavior continued unchecked by command staff and became worse over time. Officer Ellis has
3 since been repeatedly insulted, demeaned, and mistreated because of his race.

4 32. The incidents of this frequent and unwelcome harassment are too numerous to
5 recount in full here, but examples include the following:

6 33. During Officer Ellis’s training period in August and September 2017, White
7 colleagues including White Supervisor A (who was his assigned training officer), complained to
8 Officer Ellis that Chief Vinson was hiring too many black officers. During one conversation in
9 which Officer Ellis and White Supervisor A were alone together in a police vehicle, White
10 Supervisor A used the n-word in referring to Chief Vinson.

11 34. In June 2018, in the UWPD break room, Supervisor C asked Officer Ellis,² “Do all
12 Black people like grape soda?” and then Supervisor C and White Supervisor B laughed.³

13 35. On numerous occasions in 2019-2020, Officer Ellis saw White officers in the
14 workplace demean a gay, Black officer who ended up being forced out of the Department. The
15 Black officer confided in Officer Ellis that White Supervisor A was looking at his penis in the
16 locker room and said, “The rumor is true about Black men.”

17 36. In January 2020, White Supervisors D and E pressured Officer Ellis to withdraw
18 his application for a promotion to lieutenant even though he met the requirements for the
19 position. White Supervisor E told Officer Ellis that if he did not withdraw his application, he
20 would not be considered even for the lesser promotion to sergeant. As a result of the threat,
21 Officer Ellis withdrew his name from the lieutenant testing. As described in paragraph 62,
22 White Supervisors D and E did the same thing to Plaintiff Golden but not to any White
23

24 ² Plaintiffs have used pseudonyms to identify other UWPD employees in an effort to reduce the likelihood of
25 retaliation against them. While Plaintiffs have generally described the race of the pseudonymous employees for
the purpose of understanding the racial dynamics involved in these incidents, Plaintiffs are uncertain about
Supervisor C’s racial identity and so have not described it. He is not Black.

26 ³ Like the other stereotypes discussed in this complaint, the stereotype of Black Americans having a unique
preference for grape-flavored drinks has racist origins.
27 https://en.wikipedia.org/wiki/Stereotypes_of_African_Americans.

1 applicants.

2 37. In April 2020, Officer Young and Officer Ellis had to complete an online training
3 for running names through the Washington Crime Information Center/National Crime
4 Information Center because their certifications were about to expire. Customarily, during
5 trainings, officers are relieved from duty unless otherwise sent on a call from dispatch.
6 Dispatchers typically do not dispatch officers to a call while they are completing a training and
7 that is why their hours appear in red on the schedule when they are training. During the
8 training, there was a call related to a Black trespassing suspect. Officer Young and Officer Ellis
9 were not dispatched to the call and continued their training session. Shortly after the call was
10 dispatched, White Supervisor B ran out of his office and said, "Hey, aren't you guys gonna go?!"
11 Although unusual, Officers Young and Ellis followed the supervisor's command and suspended
12 their training to respond to the call. Two days later, White Supervisor B reprimanded both of
13 them for not immediately deploying as back-up to a trespassing scene even though at least four
14 other officers and a supervisor had already been dispatched. It has rarely if ever happened that
15 so many officers have been dispatched on a call involving a single White suspect in similar or
16 even more threatening circumstances. Officer Ellis reached out to his union representative to
17 challenge the discipline, but the reprimand remained in his file for at least one year.

18 38. In April 2020, during the call referenced in the previous paragraph, Officer Ellis
19 witnessed at the scene White Officer G being unprofessional with the suspect, saying "Got your
20 Black ass." White Supervisor B was present when the comment was made. Officer Ellis does not
21 believe officer G was reprimanded, written up, or investigated.

22 39. On multiple occasions in 2020, while officers were in the UWPD locker room
23 getting ready for shift, several White officers loudly expressed racist stereotypes using racial
24 slurs. On one occasion, Black Officer F, White Officer E, White Officer G, and White Officer A
25 were talking and one of them said, "[N-words] are always late for everything." The officers
26 laughed and Black Officer F turned to Officer Ellis and said, "You know your people." The
27 officers continued to talk and one said, "[N-words] are always acting out and they always want

1 something for free.” Black Officer F again turned and looked at Officer Ellis and stated, “You
2 know your people.” White Supervisor A overheard this and did nothing. Officer Ellis reported
3 these incidents to Supervisor C and White Supervisor F, but neither took any action.

4 40. On or about late June 2020, White Officer B and White Supervisor A knowingly
5 falsely accused Officer Young of reaching out to touch Officer Ellis’s crotch and that of another
6 Black former officer. Despite everyone involved denying that it happened, the White officers
7 were never investigated or reprimanded.

8 41. In December 2020, Officer Ellis was called for jury duty and placed on a jury trial.
9 While White officers called for jury duty were given shift adjustments to cover the days so no
10 leave time would be used, White Supervisor B forced him to use leave hours.

11 42. In January 2021, in the report writing area, Supervisor C offered Officer Ellis an
12 energy drink and said, “You know you want it—it’s watermelon,” and started laughing along
13 with other White officers.

14 43. In January 2021, Officer Ellis was wearing white stretch pants to stay warm.
15 Supervisor C walked into the locker room and around to the area in which Officer Ellis was
16 standing and said the pants were to hide Officer Ellis’s “black ashy” skin and that Officer Ellis
17 wore long pants to hide that a Black man needs lotion on his legs to look nice.

18 44. In January 2021, Officer Ellis overheard White Officers D, H, I, and J talking about
19 slavery and reparations in the report-writing area. Officer Ellis did not stand to see who was
20 speaking, but one officer said, “Why would lazy welfare recipient motherf***ers get free
21 money when we have to work for ours?” Another officer stated, “I never had slaves, so why
22 should I have to pay for a lazy Black motherf***er?” White Supervisor F overheard this
23 conversation but did nothing.

24 45. In February of 2021, Supervisor C rejected Officer Ellis’s official statement of a
25 call because it contained minor typos, claiming that Officer Ellis had “used Ebonics” in the
26 report and saying this is not accepted in police work.

27

1 46. In January 2021, Officer Ellis—concerned that UWPD may have been profiling
2 Black students on campus—reported to his managers his concern that UWPD questioning a
3 Black student in the dorms might seem like harassment. On February 3, Officer Ellis met with a
4 residence hall official, joined by Officer Young and some UWPD managers, and expressed his
5 concern that residence assistants were profiling black male students in their calls to UWPD.
6 Officer Ellis received no substantive response to these concerns.

7 47. Instead, shortly after, Officer Ellis was singled out and investigated for racial
8 profiling despite the complainant himself explaining that Officer Ellis was not at fault:

9 a. In late February 2021, a Black UW student complained to UW that UWPD
10 officers had profiled him and treated him like a criminal suspect in his
11 own dorm without justification.

12 b. Officer Ellis had been dispatched to the dorm, along with Supervisor C
13 and another officer, because of a report of a Black man harassing
14 students in the dorm. While interviewing students, a female student
15 identified the Black UW student as having engaged in what she thought
16 was harassing conduct.

17 c. Officer Ellis and Supervisor C went to talk to the Black UW student and
18 determined that the two incidents—the call that led them to be
19 dispatched to the dorm and the incident complained about by the female
20 student (which the officers determined not to have been criminal or
21 suspicious)—were unrelated. Supervisor C was hostile toward the
22 student during the interaction while Officer Ellis took steps to explain to
23 the student what was going on and assure him. Supervisor C nevertheless
24 ordered Officer Ellis to take a photo of the Black UW student. Officer Ellis
25 did so but subsequently destroyed the photo, believing the order was
26 improper.
27

- 1 d. The Black UW student did not know the names of either of the officers
2 who came to his room, but after filing a complaint with the University
3 Complaint Investigation and Resolution Office (UCIRO), the student
4 expressly told UW investigators that the Black officer (Officer Ellis) had
5 been helpful to him and that he wanted the other officer (Supervisor C)
6 to be investigated.
- 7 e. Despite the student’s identification of Officer Ellis as helpful, UW and
8 UWPD nevertheless decided to investigate only Officer Ellis and not
9 Supervisor C. The student offered to help identify the other policeman,
10 but the investigators never asked him to do so.
- 11 f. As a result of the improper investigation of him, UWPD removed Officer
12 Ellis from residence hall duty and reassigned him.
- 13 g. Officer Ellis complained to his union and management that the
14 investigation and removal were racially-motivated—singling him out as a
15 Black officer to be a scapegoat. On March 3, 2021, the union relayed
16 these concerns to UWPD management, stating that it appeared Officer
17 Ellis was being harassed and intimidated by UWPD management.
- 18 h. When the student learned that UW and UWPD had investigated and
19 reassigned Officer Ellis—the one who was helpful to him—he was angry
20 and terminated his UCIRO complaint.

21 48. In May 2021, Officer Ellis heard White Officers A and E refer to Officer Nowlen as
22 a “Black ass snitch bitch” because Officer Nowlen had reported excessive force by another
23 officer.

24 49. The conduct described above has caused Officer Ellis severe emotional distress.
25 His job has become unbearable because of the anxiety, stress, depression, and other emotional
26 harm caused by working in a hostile environment.

27

1 **Plaintiff Gabriel Golden**

2 50. Officer Golden is a Black police officer for UWPD. He has been a police officer for
3 10 years, and has served in two different police departments, including the University of
4 Arkansas Police Department (UAPD), where he attained the rank of corporal, was a defensive
5 tactics instructor, and Crime Prevention Officer. He has been an officer for UWPD since
6 November 2017.

7 51. Officer Golden was hired by former Chief Vinson. He uprooted his family and
8 moved to Washington, eager to work for an institution he thought embraced forward-looking
9 policing values such as community policing and a diverse police force. However, within his first
10 month as an officer with UWPD, he learned that was not the case. Officer Golden experienced
11 racist comments and behavior from officers and supervisors that became worse over time. He
12 has since been repeatedly insulted, demeaned, and mistreated because of his race. In his
13 previous employment with UAPD, he did not experience the kind of blatant and pervasive racist
14 conduct that has been directed at him from UWPD officers and supervisors.

15 52. The incidents of this frequent and unwelcome harassment are too numerous to
16 recount in full here, but examples include the following:

17 53. In November of 2017, while still in his probationary period, Officer Golden had to
18 go to the firearms range to qualify with firearms. He rode to the range with White Supervisor E
19 who also needed to qualify. When they arrived at the range, White Supervisor E asked if Officer
20 Golden would grab a bag for him, though there was no particular reason for Officer Golden to
21 do so. Officer Golden said “Yes.” White Supervisor E then said something like “I guess you have
22 too, right? Since you moved here all the way from Arkansas, I kind of own you.”

23 54. In December 2017, while still in his probationary period and co-teaching a
24 women’s self-defense class, White Officer A told Officer Golden to wait before applying for
25 certain promotions because “[e]veryone hates that Chief Vinson gives you Black guys whatever
26 you want” and “[t]hey’ll know you’re one of the good ones if you wait.”

27

1 55. In December 2017, still during his probationary period, Officer Golden overheard
2 on several occasions White officers and sergeants talking about how they were excited for Chief
3 Vinson to be fired. On one occasion, White Officer D expressed how he could not wait for
4 “them” to fire Chief Vinson’s “Black ass.” This comment was overheard by White Supervisor H,
5 who did nothing.

6 56. In January 2018, White Officer B told Officer Golden a story before roll call and
7 referred to a homeless person using the n-word. Officer Golden reported this to White
8 Supervisor A, who was also his FTO, but White Supervisor A did nothing.

9 57. In March 2018, after finishing a routine call for service and while still on his
10 probationary period, White Supervisor A asked Officer Golden and White Officer C what
11 diversity meant. White Officer C responded that it didn’t mean “hiring all these unqualified
12 Blacks.” White Supervisor A then said that Chief Vinson had hired more Black officers than the
13 demographics of Seattle suggest is appropriate.

14 58. In early 2018, Officer Golden applied for an open Community Engagement
15 Officer Position. White Officer D confronted him about this in front of other officers and
16 supervisors, asking why Officer Golden would apply for this when he wasn’t qualified. Officer
17 Golden informed him of the many reasons that he was, in fact, qualified. White Officer D said,
18 “None of that matters; around here, if you’re Black you’re apparently qualified.” None of the
19 supervisors did anything. Weeks later, after Officer Golden was passed over for the position,
20 White Officer D laughed and said to Officer Golden, “They gave the position to the bigger
21 blacker guy.”

22 59. In November 2019, Officer Golden overheard White Officer D, White Officer C,
23 and White Supervisor B speaking. One of them said, “That [n-word] better not show his face
24 around here,” referring to an officer no longer employed by UWPD who was on paid leave
25 during an internal investigation.

26 60. Officer Golden participated in the creation of training tests for officers in the
27 Department. In the Spring of 2020, White Officer A admitted to cheating on one of those

1 training tests. White Supervisor D then blamed Officer Golden for Officer A's cheating,
2 suggesting the test was too hard. White Supervisor D also directed Officer Golden to make the
3 testing process easier, creating additional work for Officer Golden. Around the same time, a
4 Black officer was terminated in part because of allegations that he mishandled a lost wallet,
5 whereas White Officer A suffered no apparent repercussions.

6 61. In Summer 2020, Supervisor C ordered Officer Golden to ride in the back of a
7 vehicle as an attempt to humiliate him. Officer Golden informed White Supervisor B about the
8 incident, but Supervisor B did nothing.

9 62. In January 2020, Officer Golden applied for the open positions of sergeant and
10 lieutenant, both of which he was qualified for. Multiple supervisors, including White Supervisor
11 D and White Supervisor E, pressured Officer Golden to withdraw his application for lieutenant,
12 saying it would hurt his possibility for future promotions if he failed to do so. Although Officer
13 Golden initially withdrew his application, he eventually resubmitted it. After failing to persuade
14 Officer Golden to withdraw the application a second time, his supervisors postponed the
15 testing altogether. Officer Golden complained to a UW HR employee that his supervisors were
16 pressuring him to withdraw his name from a promotion opportunity and explained that he
17 believed their conduct was motivated by race. The HR employee acknowledged the apparent
18 racism but told Officer Golden that HR was unable to do anything about it.

19 63. Since then, the supervisors have assigned more and more tasks and duties to
20 Officer Golden, including tasks and duties normally assigned to better-paid supervisors, and
21 refused to compensate him for the added work when he submitted a detailed request for
22 additional pay.

23 64. On several occasions in the UWPB locker room in the spring of 2021, Officer
24 Golden heard White Officers A, D, and E say they would not provide back up for Officer Taylor,
25 including each of them saying at least once that they would not back up "Damien's Black ass,"
26 referring to Officer Taylor. Because back up can be necessary to officer safety and successful
27 performance of police duties, Officer Golden understood this to be threatening Officer Taylor's

1 safety and professional reputation, in part because of Officer Taylor’s race.

2 65. In February 2021, supervisors did not deploy back-up to help Officer Golden
3 when they would have done so for a White officer. Conversely, as alleged in paragraphs 37 and
4 109, Black officers have been disciplined for not reporting to assist White officers under much
5 less volatile and threatening circumstances.

6 66. Since shortly after Officer Golden was hired, Supervisor C—while at work—has
7 frequently referred to Officer Golden as “Teddy Graham,” a reference to “graham cracker,” a
8 racial slur used against Black people who are perceived to be “acting White.”

9 67. The conduct described above has caused Officer Golden severe emotional
10 distress. His job has become unbearable because of the anxiety, stress, depression, and other
11 emotional harm caused by working in a hostile environment.

12 **Plaintiff Hamani Nowlen**

13 68. Officer Hamani Nowlen is a Black police officer for UWPD. He has been a police
14 officer for five years, including three in Atlanta, GA, and has been employed with UWPD since
15 February 2019.

16 69. Supervisors and officers in UWPD have repeatedly insulted, demeaned,
17 harassed, intimidated, and targeted Officer Nowlen because of his race. In his previous
18 employment in Atlanta, Georgia, he did not experience the kind of blatant and pervasive racist
19 conduct that has been directed at him throughout his tenure with UWPD.

20 70. The incidents of this frequent and unwelcome harassment are too numerous to
21 recount in full here, but examples include the following:

22 71. Shortly after Officer Nowlen was hired and still within the probationary period
23 required for new officers, Supervisor C offered Officer Ellis and him a watermelon-flavored
24 drink in the motor court. When Officers Ellis and Nowlen declined, Supervisor C said: “I thought
25 all you guys like watermelon and Popeyes.”

26 72. In March 2019, while still on probation, Officer Nowlen was carrying supplies
27 from the gun range back to the UWPD armory room, where he encountered White Supervisor

1 A. White Supervisor A struck Officer Nowlen with a long stick-like object in his right leg.
2 Shocked, Officer Nowlen turned quickly toward White Supervisor A, who responded by saying,
3 “What? You people should be used to being hit with these,” and chuckled.

4 73. In March of 2019, Officer Golden overheard White Officer A ask White Officer D
5 in the locker room, “How can Hamani afford a beemer?” referring to Officer Nowlen. White
6 Officer D replied, “That Black bastard is probably selling drugs. That boy better get those
7 Georgia tags changed soon, or I’m going to arrest him myself.” They were both laughing.

8 74. In the fall of 2019, Officer Nowlen and White Officer B encountered an
9 intoxicated Black male at a party while doing “party checks” on fraternity row. While Officer
10 Nowlen and White Officer B were in the patrol car returning from the call, White Officer B
11 referred to the Black male they encountered using the n-word.

12 75. In February 2020, White Officer D walked into the locker room and said, “I got
13 my DNA results, and I’m 18% black. I get to say the ‘n’ word, now!” Officer Golden was present
14 and said, “That’s not even funny,” to which White Officer D replied, “I don’t care who you are,
15 that’s funny.”

16 76. In July 2020, several officers were talking in the motor court about the murder of
17 George Floyd. Officer Nowlen overheard White Officer D say that Mr. Floyd “black ass got what
18 he deserved.”

19 77. In August 2020, someone began placing garbage (latex gloves, crumpled papers,
20 empty bags of chips) in Officer Nowlen’s personal work mailbox and in front of his locker.
21 Officer Nowlen reported this conduct to Asian American Supervisor J, but no action was taken.
22 Officer Nowlen also informed White Supervisor B about these incidents, but no action was
23 taken.

24 78. In September 2020, Officer Nowlen had several consecutive inappropriate
25 interactions with White Supervisor A. First, White Supervisor A licked his lips, touched his penis,
26 and said, “Ooh, that’s a great ass technique” when another Black officer who had his access key
27 card in his back pocket turned his back toward the sensor to unlock the elevator. Second, after

1 responding to a serious call in that building involving a naked and unresponsive Black male
2 student, White Supervisor A made inappropriate comments about the male student's naked
3 body. Third, White Supervisor A dispatched Officer Nowlen to meet him at fleet services. When
4 Officer Nowlen arrived, White Supervisor A was aggressive and accused Officer Nowlen of
5 urinating on the bathroom seats in the UYPD locker room. White Supervisor A told Officer
6 Nowlen he was watching him and the other Black officer and that he was launching a "personal
7 investigation." White Supervisor A told Officer Nowlen, "It could only have been you or the
8 other Black guy." Officer Nowlen reported all three incidents to Asian American Supervisor J,
9 but no action was taken. Officer Nowlen also reported all three incidents to White Supervisor B
10 but again, no action was taken.

11 79. On September 16, 2020, while in the locker room changing, Officer Nowlen
12 overheard White Officer D say about Officer Taylor, in front of Black Officer F and others, "He
13 needs to take his Black ass back to Louisiana, where he belongs." Shortly thereafter, upon
14 briefly returning to the locker room after Black Officer F had left, Officer Nowlen heard White
15 Officer D say, "These [n-word]s are starting to be a problem."

16 80. In October 2020, Officer Nowlen witnessed Black Officer F use excessive force
17 against an individual. He reported the incident to Supervisor C. During the investigation, Officer
18 Nowlen learned that White officers had accessed and viewed his report. White Officer D
19 confronted Officer Nowlen directly about the report and called Officer Nowlen a "Black
20 bastard" for reporting a fellow officer. During this period, Officer Young heard White Officers D,
21 E, and G all call Officer Nowlen a "snitch" and White Officer G told Officer Young directly, while
22 the two were dispatched on a call, that Officer Nowlen was a "black piece of shit" and that they
23 didn't want to work with him.

24 81. In November 2020, Officer Nowlen's new car was vandalized while parked at
25 work. Believing this was in retaliation for reporting Black Officer F's excessive force, Officer
26 Nowlen emailed White Supervisor B to report the incident and requested the video surveillance
27 footage to see who was responsible. White Supervisor B refused to provide the footage or

1 investigate the incident. No action was taken.

2 82. In March 2021, Officer Nowlen and Asian American Supervisor J alternated
3 sitting in White Detective A's car to keep warm during a long call. After the call, White
4 Supervisor B called Officer Nowlen to his office. White Supervisor B told Officer Nowlen that
5 White Detective A smelled marijuana in the patrol car. White Supervisor B asked Officer
6 Nowlen if he was wearing any "funky cologne" in the car. He also asked Officer Nowlen if he
7 was smoking anything in the car. Officer Nowlen responded no to both questions. Officer
8 Nowlen doesn't smoke and doesn't do drugs. Asian American Supervisor J, who also sat in the
9 patrol car during that call, was not questioned, nor were any other officers who were on the
10 call and in the vicinity of the car. Officer Nowlen reported the incident to managers and stated
11 that he was targeted because of his race, but they did nothing.

12 83. In April 2021, White Officer D approached Officer Nowlen on several occasions in
13 the locker room and report-writing area and sparked his Department-issued taser inches from
14 Officer Nowlen.

15 84. The conduct described above has caused Officer Nowlen severe emotional
16 distress. His job has become unbearable because of the anxiety, stress, depression, and other
17 emotional harm caused by working in a hostile environment.

18 **Plaintiff Damien Taylor**

19 85. Officer Damien Taylor is a Black police officer for UWPB. He has been a police
20 officer for over 15 years, including six as a patrol sergeant with the Louisiana State Police
21 Department. He has been employed with UWPB since March 22, 2017.

22 86. In his previous work as a law enforcement officer, Officer Taylor never
23 experienced the blatant and pervasive racist conduct directed at him by UWPB supervisors and
24 officers. Those supervisors and officers in UWPB have repeatedly insulted, demeaned,
25 harassed, intimidated, and targeted Officer Taylor because of his race.

26 87. The incidents of this frequent and unwelcome harassment are too numerous to
27 recount in full here, but examples include the following:

1 88. On May 5, 2017, still in the one-year probationary period required of new hires,
2 Officer Taylor waited for his training officer, White Supervisor A (who was an officer at the
3 time), to return from a meeting. While he waited, Officer Taylor was dispatched to a call on the
4 radio. Officer Taylor was not permitted to respond to calls without his training officer. When
5 White Supervisor A returned, Officer Taylor began driving to the call. White Supervisor A asked
6 him where he was going, and Officer Taylor responded that he was going to the call. White
7 Supervisor A then said, "I didn't hear no f***ing call, turn around we're going back to station."
8 White Supervisor A directed Officer Taylor to draft a memo explaining why Officer Taylor didn't
9 respond to the call that White Supervisor A told him not to go to. Officer Taylor was visibly
10 frustrated. White Supervisor A yelled after him, "You got a problem? I own you! Get the f***
11 back here." Black Supervisor I overheard the argument and convened the pair in the briefing
12 room to diffuse the situation. Afterward, Black Supervisor I met with Officer Taylor for a one-
13 on-one and reminded him that he needed to watch his back because they could fire him for
14 almost anything while on probation.

15 89. While Officer Taylor was still on probation, White Supervisor A yelled at Officer
16 Taylor and poked and hit him with a long wooden stick, trying to disrupt him during rifle
17 certification at the gun range.

18 90. In December 2017, while still on probation, Officer Taylor and White Supervisor F
19 were dispatched to a Starbucks, where a Black man was reportedly harassing students. When
20 they arrived at the Starbucks, the man was sitting on a couch talking to a White female. As
21 Officer Taylor and White Supervisor F approached, the Black man said, "You are only here
22 because I am a negro." White Supervisor F responded to the man, "Well, I've got my own negro
23 with me." After the call ended, Officer Taylor asked White Supervisor F why he made the
24 comment. White Supervisor F chuckled and said he was tired from a long day and didn't mean
25 to say it.

26 91. In 2018-2019, Officer Taylor was assigned to White Supervisor G's squad. White
27 Supervisor G regularly made comments and jokes about Officer Taylor's skin being dark and

1 ashy, including during roll call in front of the entire squad. Following White Supervisor A's
2 example, White Officers A, E, and K also started commenting and joking about his skin, regularly
3 referring to his "dark ass" or telling him he needed lotion for his "ashy" skin.

4 92. In the summer of 2020, Officer Taylor overheard White Officers C and D joking
5 about that murder of George Floyd in and around the UWPD locker room. Officer D said, "His
6 Black ass got what he deserved." Officer Taylor overheard White officers make similar
7 comments about George Floyd throughout the summer.

8 93. On May 29, 2020, Officer Taylor applied for a detective opening. After the
9 process was complete, he was informed that another officer outscored him and was offered the
10 position. But UWPD was short on patrol officers and decided to hold off on adding a detective
11 position. On April 2, 2021, the detective position became available again. Because applications
12 for detective are valid for one year, the other officer was offered the position and declined.
13 Instead of offering the position to Officer Taylor, UWPD told him he wasn't qualified and
14 needed to resubmit his application. Officer Taylor filed a grievance with his union
15 representative, who determined this treatment was unfair. Shortly thereafter, Officer Taylor
16 was offered the position. When he inquired as to why they changed their mind about his
17 qualification, he was told that they felt he could fill the role with some additional training.
18 However, they never provided him any training. He is currently the only detective on staff. He
19 submitted a request for training that was initially declined, but has since been approved.

20 94. On May 19, 2021, Officer Taylor and Officer Young responded to assist White
21 Officer G on a crisis call. During the call, White Officer G snapped at Officer Young and Officer
22 Taylor, "Your Black asses need to do something and clear the garage," and instructed them to
23 get the students out.

24 95. On several occasions in 2021, White Officers C and D approached Officer Taylor
25 in the locker room and report-writing area and sparked their Department-issued tasers within
26 arm's reach of him, making a loud electrical popping and whirring sound. This is a technique
27 officers use in the field to intimidate non-compliant people without using physical force. Officer

1 Taylor also witnessed White Officer D point and spark his taser at Officer Nowlen in the report-
2 writing area. On that occasion, Asian American Supervisor J looked up when it happened,
3 directly witnessing the threatening behavior. Supervisor C was also in the area. They both did
4 nothing.

5 96. The conduct described above has caused Officer Taylor severe emotional
6 distress. His job has become unbearable because of the anxiety, stress, depression, and other
7 emotional harm caused by working in a hostile environment.

8 **Plaintiff Karinn Young**

9 97. Officer Karinn Young is a Black, female, lesbian police officer for UWPD. She has
10 been a police officer for twelve years, including eight with the New York City Police Department
11 (NYPD), and has been employed with UWPD since August 2017.

12 98. Officer Young was hired by the former UWPD Chief, Dr. John Vinson.

13 99. In late 2018, Officer Young began to hear that some officers were agitated and
14 complaining that Chief Vinson hired too many Black officers. When Chief Vinson left in 2019,
15 supervisors and officers in UWPD began to treat Officer Young differently. She has since been
16 repeatedly insulted, demeaned, harassed, intimidated, and targeted because of her race,
17 gender, and sexual orientation. In her previous employment with NYPD, she did not experience
18 the kind of blatant and pervasive racist and sexist conduct that has been directed at her from
19 UWPD officers and supervisors.

20 100. The incidents of this frequent and unwelcome harassment are too numerous to
21 recount in full here, but examples include the following:

22 101. In January 2019, Officer Young went to the locker room to change at the end of a
23 shift. A banana was on the floor in front of her locker. She remembers two White officers were
24 in the locker room laughing at the time, White Officer B and White Detective A. She did not
25 think much of it until several months later in May, when she found another banana on the floor
26 in front of her locker with a note that said, "Here's your lunch, you f***ing monkey." White
27 Detective A was exiting the locker room right before she encountered the second banana with

1 the note.

2 102. On April 21, 2019, White Officer B accused Officer Young of grabbing the crotch
3 areas of two Black officers, Officer Ellis and another Black former officer, a completely
4 fabricated accusation that all of the officers denied. Despite everyone involved denying that it
5 happened, the White officers were never investigated or reprimanded.

6 103. In late 2018 or early 2019, Officer Young and several other Black officers
7 submitted their applications for an open sergeant position. On April 19, 2019, after Chief Vinson
8 left, White Supervisor D informed Officer Young that the list of applications for the sergeant
9 position, including hers, was being canceled because it had been created under Chief Vinson
10 and that she would need to reapply in order to be considered. The opening was then
11 postponed, and there have been no further promotions to sergeant or lieutenant since Chief
12 Vinson left.

13 104. In September 2019, Supervisor C approached Officer Young and said, "What's up
14 Karinn? I went to Costco and they had a sale on energy drinks, I bought a whole bunch and I got
15 you a case of grape. I know how your people love grape." Stunned, she replied, "Your people?"
16 to which the Supervisor C, smirking, responded, "Yeah, you know your people."

17 105. In October of 2019, Officer Young was riding in a patrol vehicle with Supervisor
18 C, who said to her, "Where do you think jaguar is?" Confused, Officer Young asked, "Who's
19 jaguar?" Supervisor C, laughing, then stated, "You, know Damien. He's so damn black, you can
20 only see his yellow eyes. He's a f***ing black ass cat." Incredulous, Officer Young replied,
21 "That's not right."

22 106. Officer Young was required to renew her annual rifle certification in November
23 2019. In 2018, Officer Young qualified without issue. The 2019 certification was conducted by
24 White Supervisor A. White Supervisor A intimidated and yelled at Officer Young throughout the
25 certification. He stood within a few inches of her and barked at her about her posture and
26 where she was aiming and made comments like "What the f*** are you doing?!" In her twelve
27 years as a police officer, she had never experienced intimidation during a weapon certification.

1 White Supervisor A's aggression made her anxious and uncomfortable. She did not qualify
2 during that certification. Unlike White officers who failed and were subsequently allowed to re-
3 qualify, White Supervisor A denied Officer Young that opportunity and instead recommended
4 she be placed on foot patrol.

5 107. In November 2019, Officer Young took three days of sick leave. White Supervisor
6 B required Officer Young to submit a doctor's note. White officers did not have to present a
7 doctor's note when they called in sick. For example, White Officer B had previously hurt her
8 back and was out for a week and was not required to submit a note.

9 108. UWPD has a precinct gym. Officer Young regularly works out in the gym after her
10 shift. She typically gets changed into her gym attire in UWPD women's locker room and then
11 walks through the station to the gym. When she is done, she walks back through the station to
12 retrieve her lunch bag from the kitchen and then leaves the station. In March of 2020, White
13 Officer B told Officer Young that White Supervisor A made a comment about Officer Young
14 during roll call, saying: "She should not be on this floor wearing those clothes and not in
15 uniform." To Officer Young's knowledge, there are no rules about wearing gym clothes in the
16 station when off duty. White officers regularly walk through the station in gym clothes without
17 complaints from supervisors before heading to the gym. About a week after White Officer B
18 told her about this incident, Officer Young was directly approached by White Supervisor A while
19 in her gym attire. He looked her up and down and said, "I did not know you looked like that
20 under uniform," and then licked his lips. Disgusted, she said, "Excuse me?" He chuckled and
21 walked away.

22 109. As described in paragraph 37, Officer Young was reprimanded for not
23 immediately deploying as back-up to a trespassing scene involving a Black suspect, despite
24 being in training, not having been dispatched, and the fact that a large number of officers were
25 already on the scene. Two days after the incident, White Supervisor B called Officer Young into
26 his office to issue the reprimand. Officer Young told him she felt the writeup was unfair because
27 she understood that she was cleared from calls to complete the training, she wasn't dispatched,

1 and numerous officers and a supervisor had responded. She emailed her union representative
2 to dispute the writeup. The union representative agreed and said she should submit a form to
3 have the writeup removed, but White Supervisor B told her that the form didn't apply for this
4 particular writeup and that the writeup would remain in her file for one year.

5 110. In May 2020, White Supervisor A approached Officer Young near the report-
6 writing area and told her he liked her tattoos and then said, "You know White is right. I bet you
7 wouldn't be gay after you try this." White Supervisor A then smirked and walked away. He
8 became her direct supervisor two months later.

9 111. In August 2020, while they were on a call together, White Officer B said to
10 Officer Nowlen about Officer Young, "I can't stand that carpet muncher." When Officer Nowlen
11 asked what White Officer B meant by that, White Officer B said, "You know, a dyke."

12 112. On September 2, 2020, White Officers B, D, and E were in the motor court.
13 Officer Young overheard Officer E say, "These people don't even know why they're protesting,"
14 referring to the Black Lives Matter protests stemming from the murder of George Floyd. She
15 then heard Officer D say about George Floyd, "Good for that crack-head. He was a piece of s***
16 anyway. He's the reason police officers are losing their jobs." Officer B then said, "You know his
17 family is going to buy cars, gold chains and teeth when they sue the city. You know how Black
18 people are."

19 113. In December 2020, while retrieving her patrol keys from the key watch area,
20 White Supervisor A asked her, "Did you cut your hair? It seemed nappier last week."⁴ Shocked,
21 she replied, "No, I did not cut my hair."

22 114. On April 8, 2021, Officer Young was completing online training in the report-
23 writing area. White Officer A was on a nearby computer working on a report. White Officer A
24 got up and walked to White Supervisor A's desk. Officer Young then overheard White
25

26 ⁴ "Nappy" is a term for naturally tightly curled hair that is common among African-Americans. It is an offensive
27 alternative to "kinky" or "curly" because of the word's history and association with slavery and with beauty
standards that emerged from white supremacist ideology.

1 Supervisor A say to White Officer A, “You see, this is why I can’t f***ing stand Black people.”
2 Officer Young stood up in shock and the officer and supervisor both turned their heads toward
3 her. White Supervisor A then began to whisper and continued his conversation with White
4 Officer A.

5 115. The conduct described above has caused Officer Young severe emotional
6 distress. Her job has become unbearable because of the anxiety, stress, depression, and other
7 emotional harm caused by working in a hostile environment.

8 **C. Tort Claim Forms**

9 116. Because UWPD is an employer within state government for which the State of
10 Washington is ultimately responsible, on June 21, 2021, each Plaintiff filed a Tort Claim Form
11 notifying the State of Washington that they had been subjected to a pattern of severe,
12 pervasive, and outrageous racist conduct. Officer Young also complained of being subjected to
13 inappropriate behavior on the basis of sex and sexual orientation.

14 117. In response to the Tort Claim Forms, the UW claimed through a spokesperson
15 that “[a]ny one of the incidents described here would prompt an immediate investigation and
16 appropriate disciplinary action based on the investigation's findings.”

17 118. The President of the UW said of the tort claims that they described “truly
18 reprehensible acts of racism within the department” and that “[t]he possibility that these
19 actions might have occurred and been tolerated in any unit, or anywhere in the UW
20 community, is anathema to our values and our commitment to being a diverse, inclusive and
21 equitable community.”

22 **V. FIRST CLAIM FOR RELIEF**

23 **Hostile Workplace, Washington Law Against Discrimination, RCW 49.60.010** 24 **(Each Plaintiff Against Defendant)**

25 119. Under RCW 49.60.180(3), it is unlawful for an employer “[t]o discriminate
26 against any person in compensation or in other terms or conditions of employment because of
27 age, sex, marital status, sexual orientation, race, creed, color, national origin, citizenship or

1 immigration status, honorably discharged veteran or military status, or the presence of any
2 sensory, mental, or physical disability or the use of a trained dog guide or service animal by a
3 person with a disability.”

4 120. As set forth in detail above, each Plaintiff was subjected to unwelcome and
5 unreasonable harassment and mistreatment on the basis of race. Additionally, Officer Young
6 was subjected to unwelcome and unreasonable harassment and mistreatment on the basis of
7 her sex and sexual orientation.

8 121. The harassment and mistreatment were so severe and pervasive as to constitute
9 a change in the terms and conditions of their employment.

10 122. This unlawful conduct is imputable to UWPD as an employer for several
11 independent reasons, including: (a) many of the employees who engaged in the harassment
12 were UWPD managers who controlled the hours, wages, and working conditions of Plaintiffs;
13 (b) other UWPD managers also knew about the hostile workplace because they witnessed or
14 learned about numerous instances of misconduct; and (c) the misconduct was so pervasive that
15 no reasonably diligent manager within UWPD could have failed to be aware of it.

16 123. Though UWPD managers knew or should have known of the hostile workplace,
17 they took no action to end it, let alone reasonable and prompt action.

18 124. As a result of being employed in a hostile workplace, Plaintiffs have each
19 suffered actual damages in amounts to be proven at trial, damages that include but are not
20 limited to lost wages and severe emotional distress.

21 **VI. SECOND CLAIM FOR RELIEF**
22 **Intentional Infliction of Emotional Distress**
23 **(Each Plaintiff Against Defendant)**

24 125. The harassment and mistreatment directed toward each Plaintiff, both in the
25 individual instances and as a collective whole, goes beyond all possible bounds of decency, is
26 atrocious, and is utterly intolerable in a civilized community.
27

1 RESPECTFULLY SUBMITTED AND DATED this 30th day of August, 2021.

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